



**SUFFOLK  
CONSTABULARY**  
*Taking pride in keeping Suffolk safe*

## **Freedom of Information Request Reference N°: FOI 001248-18**

I write in connection with your request for information received by Suffolk Constabulary on the 5<sup>TH</sup> April, 2018 in which you sought access to the following information:

*"In line with Freedom of Information Act I would like to request information relating to Suffolk Constabularies policy and procedure regarding searches of properties under warrant. Specifically I would like to ascertain:*

- 1. To who the warrant should be served i.e. does it have to be the person in control or ownership of the property or can any person currently residing in the property take control of the warrant*
- 2. Once the search commences, how should the officers conduct themselves (i.e. their manner and search procedure)*
- 3. Should a single officer be nominated as the exhibits officer*
- 4. What questions should be asked of the person serving the warrant as items are seized*
- 5. How many warrants did Suffolk Constabulary execute in the calendar year of 2017*

## **Response to your Request**

The response provided below is correct as of 26<sup>th</sup> April 2018.

Suffolk Constabulary has considered your request for information and the response is below.

In relation to your request for information and in accordance with Section 17 of the Freedom of Information Act 2000 (FOIA), this response serves as a formal notification of refusal for your request. Suffolk Constabulary does not hold, for the purposes of FOIA, the information you require in a retrievable format.

It is estimated that to attempt to retrieve all of the information you require would take a considerable amount of retrieval time, which would exceed 18 hours. This would exceed the appropriate limit for dealing with Freedom of Information requests, in terms of costs and therefore Section 12(1) of the Freedom of Information Act 2000 applies.

Suffolk Constabulary does not have a centrally held data base that can supply the exact number of executed warrants.



Any warranted officer, from any department, can draw a warrant, with authorisation required from an Inspector. This can be any Inspector in the force, so again there is no single point of contact authorising and holding a database.

Our crime information system Athena does not currently have the function to record warrants and therefore these are kept in paper format. Each officer drawing the warrant, will either store the relevant paperwork regarding the warrants in their own personal secure filing system or if the office to which the officer works from has a central one they will be stored there. We would need to request all departments within the force to canvass their staff, to check individual databases they may hold as well as departmental ones. This would be lengthy and time consuming process. It would then require a manual search to be able to ascertain on each and every piece of paperwork that was returned if the warrant was actually executed or not, this would be a huge task and well exceed the cost limit of 18 hours.

All our warrants are now drawn over telephone as we have signed up to a regional, 9 force scheme that is centrally managed by the Courts, who hold all data. Unfortunately Suffolk/Norfolk have collaborated in this area so the courts statistics will not determine which force actually applied, so we would not be able to advise you to go to the courts regarding this information as you have specified wanting Suffolk data only.

Section 12(1) of the Freedom of Information Act 2000 states that a Public Authority is not obliged to: *"...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit."* The Freedom of Information (Appropriate Limit and Fees) Regulations, defines the 'appropriate limit' for the Suffolk Constabulary as £450 and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17(5) of the Freedom of Information Act 2000, this letter serves as a refusal notice for this part of your request.

By requesting *all* information your request is too broad to be complied with within the £450 limit imposed on Freedom of Information requests.

Although excess cost removes the Force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request

In relation to the remainder of you request, Suffolk Constabulary follow the Police and Criminal Evidence Act 1984. Part II sections 8 to 23 will provide you with the information you require.  
<https://www.legislation.gov.uk/ukpga/1984/60/contents>



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However, we have provided the following information to you:

1. The warrant should be served on the person in charge or in possession of the address, however if no one is there, the warrant is to be left in a prominent position so it can easily be found.
2. In line with Police Regulations, police force shall carry out all lawful orders and in a professional manner.
3. Best practice is to have a nominated exhibits officer, however depending on the warrant you could have more than one.
4. Ownership or knowledge of the items.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;  
<http://www.opsi.gov.uk/>

Suffolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.



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Your Right to Request a Review of Decisions Made Under the Terms of the  
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker  
Information Management Department  
Suffolk Constabulary  
Police Headquarters  
Martlesham Heath  
Ipswich  
Suffolk  
IP5 3QS  
OR  
Email: [information@suffolk.pnn.police.uk](mailto:information@suffolk.pnn.police.uk)*

In all possible circumstances Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at [www.ico.org.uk](http://www.ico.org.uk) or contact them at the address shown below:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 01625 545 700