



27th July 2018

Freedom of Information Request Reference N^o: FOI 002304/18

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 29th June 2018 in which you sought access to the following information:

This request concerns the number of nights spent in custody due to cannabis-related offences.

For each question I am seeking information for each of the following time periods (financial years):

- I 2014/15
- II 2015/16
- III 2016/17
- IV 2017/18 to date (most recent data available)

- 1 How many nights did individuals spend in a police cell as a result of cannabis related offences (e.g. possession, dealing)?
- 2 How many of those arrested due to cannabis related offences (e.g. possession, dealing), were released without charge?

Response to your Request

When responding to a request for information under the terms of the Freedom of Information Act, a public authority is not obliged to provide information if the authority estimates that the cost of the retrieval of the information requested would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve all of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk and Suffolk Constabularies estimates that to retrieve all the information you have requested for both forces would exceed cost in excess of £450 (per force).

A new joint custody system has been used in both Norfolk and Suffolk since October 2015. Prior to this date, the information was recorded differently across the two Counties. Whilst it is possible to extract relevant information for Suffolk, the figures for Norfolk would have to be manually retrieved. Research has been undertaken of custody figures between April 2014 and October 2015. This has identified that there were 20,878 arrests in relation to 'Drug Offences'. Each of these would require a manual review to see which were in relation to cannabis offences. This process would have to be completed before the remainder of the questions could be answered.

This would be an enormous task which would considerably exceed the appropriate limit for dealing with a Freedom of Information request, in terms of costs, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act 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 2004, defines the ‘appropriate limit’ for the Norfolk and Suffolk Constabularies as £450 for each Constabulary, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice and Assistance

Although excess cost removes Norfolk and Suffolk Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relevant to your request, which was 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.

The figures for 2015/16 are to 19th October 2015.

SUFFOLK				
Outcome	Number of Nights	2014/15	2015/16	Total
Permit Premises Use Etc – Class ‘B’ Cannabis				
Charged And Detained	1	1	0	1
Possess Controlled Drug W/I Supply - Cannabis				
Simple Caution	1	1	2	3
No Further Action	1	3	10	13
	2	0	1	1
Charged And Detained	1	9	5	14
	2	1	2	3
Possession Class ‘B’ Drug - Cannabis				
Summons	1	1	1	2
Cannabis Warning	1	3	3	6
Simple Caution	1	13	11	24
	2	2	0	2
NFA - CFC	1	1	1	2
No Further Action	1	10	12	22
	2	2	0	2
Charged And Detained	1	69	31	100
	2	16	8	24
	3	4	0	4

Produce Controlled Drug - Cannabis				
Simple Caution	1	5	0	5
No Further Action	1	5	5	10
Charged And Detained	1	18	3	21
	2	1	0	1
Supply/Offer Supply Controlled Drug - Cannabis				
Charged And Detained	1	3	1	4
Total		168	96	264

The figures for 2015/16 are from 20th October 2015.

SUFFOLK					
Outcome Type	2015/16	2016/17	2017/18	2018/19	Total
Attempted - Having possession of a controlled drug – Class B - Cannabis					
Type 1	1	0	0	0	1
Having possession of a controlled drug – Class B - Cannabis					
Type 1	60	105	142	23	330
Type 1A	0	2	0	0	2
Type 2	1	3	4	0	8
Type 3	15	24	40	14	93
Type 4	0	0	2	0	2
Type 6	2	1	0	0	3
Type 7	5	13	14	2	34
Type 8	0	2	4	1	7
Type 9	0	0	1	0	1
Type 10	3	3	5	1	12
Type 12	0	1	0	0	1
Type 15	4	3	12	3	22
Type 16	3	0	0	0	3
Type 18	0	2	1	0	3
Type 20	0	2	2	1	5
Type 21	2	1	2	0	5
Not Recorded	0	3	23	17	43
Possess Cannabis A Class C Controlled Drug					
Type 1	0	3	0	0	3
Possession of a controlled drug with intent to supply – Class B - Cannabis					
Type 1	8	17	12	2	39
Type 1A	0	1	1	0	2
Type 2	1	3	1	0	5
Type 3	0	0	4	0	4
Type 8	0	0	0	1	1

Type 15	0	0	1	0	1
Not Recorded	0	0	11	3	14
Production or being concerned in production of a controlled drug – Class B - Cannabis					
Type 1	3	9	2	2	16
Type 3	0	1	0	0	1
Type 15	1	1	1	0	3
Not Recorded	0	1	7	2	10
Supplying or offering to supply a controlled drug – Class B - Cannabis					
Type 1	1	2	1	0	4
Not Recorded	0	0	2	3	5
Total	110	203	295	75	683

NORFOLK					
Outcome Type	2015/16	2016/17	2017/18	2018/19	Total
Having possession of a controlled drug – Class B - Cannabis					
Type 1	67	158	196	47	468
Type 1A	0	1	1	1	3
Type 2	1	7	10	1	19
Type 3	29	53	68	14	164
Type 3A	0	0	1	0	1
Type 6	1	3	1	0	5
Type 7	1	6	8	1	16
Type 8	0	2	0	0	2
Type 9	0	1	0	0	1
Type 10	5	6	9	0	20
Type 12	0	1	0	0	1
Type 14	0	1	0	0	1
Type 15	8	12	11	5	36
Type 16	1	0	4	0	5
Type 21	0	0	1	0	1
Not Recorded	0	0	18	22	40
Possession of a controlled drug with intent to supply – Class B - Cannabis					
Type 1	9	24	32	5	70
Type 1A	1	0	3	0	4
Type 2	0	0	3	0	3
Type 2A	0	0	1	0	1
Type 3	0	3	3	0	6
Type 3A	0	0	1	0	1
Type 10	0	1	0	0	1
Type 15	0	1	0	0	1

Type 16	0	1	3	0	4
Type 20	0	0	1	0	1
Not Recorded	0	2	9	7	18
Production or being concerned in production of a controlled drug – Class B - Cannabis					
Type 1	8	19	22	7	56
Type 3	0	3	2	2	7
Type 10	1	0	1	0	2
Type 15	1	1	1	0	3
Type 18	0	1	0	0	1
Not Recorded	0	0	6	4	10
Supplying or offering to supply a controlled drug – Class B - Cannabis					
Type 1	1	1	2	0	4
Type 3	0	0	1	0	1
Type 3A	0	0	1	0	1
Type 15	0	0	1	0	1
Not Recorded	0	0	1	2	3
Total	134	308	422	118	982

Outcomes

Type 1	Charged/Summoned/Postal Requisition
Type 1A	Charged/Summons alternate offence. Offender has been charged under the alternate offence rule.
Type 2	Caution Youth
Type 2A	Caution Youth alternate offence. Offender is a juvenile and has been given a youth caution under the alternate offences rule.
Type 3	Caution Adult
Type 3A	Caution Adult alternate offence. Offender has been given a simple caution under the alternate offences rule.
Type 4	TIC Taken into Consideration
Type 6	Penalty notice for disorder
Type 7	Cannabis/Khat Warning
Type 8	Community resolution (Crime)
Type 9	Prosecution Not In the Public Interest (CPS)
Type 10	Formal Action Against Offender is not in the Public Interest (Police)
Type 12	Prosecution Prevented Named Suspect Identified But Is Too Ill (Physical Or Mental Health) To Prosecute
Type 15	Named Suspect Identified: Victim Supports Police Action But Evidential Difficulties Prevent Further Action
Type 16	Named Suspect Identified: Evidential Difficulties Prevent Further Action: Victim Does Not Support (Or Has Withdrawn Support From) Police Action
Type 18	Investigation Complete; No Suspect Identified. Crime Investigated As Far As Reasonably Possible Case Closed Pending Further Investigative Opportunities Becoming Available
Type 20	Further action resulting from the crime report will be undertaken by another body or agency subject to the victim (or person acting on their behalf) being made aware of the act to be taken

Type 21	Further investigation resulting from crime report which could provide evidence sufficient to support formal action against the suspect is not in the public interest police decision.
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This response will be published on the Constabularies web-site under the Freedom of Information pages:-

<https://www.norfolk.police.uk/about-us/our-data/disclosure-log>

<https://www.suffolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

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/>

Norfolk and Suffolk Constabularies are 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.

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 the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and 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
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.pnn.police.uk*

In all possible circumstances Norfolk and 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 Norfolk and 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 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