



Freedom of Information Request Reference N^o: FOI 002434-18

I write in connection with your request for information received by Norfolk and Suffolk Constabularies on the 12 July 2018 in which you sought access to the following information:

1. *“Over the following time periods, how many individuals were arrested for domestic burglary under Section 9 of the Theft Act 1968?*
 - a) *Number of people charged with domestic burglary*
 - b) *Number of people charged with aggravated domestic burglary*

2. *Over the same time periods below, how many domestic burglaries under Section 9 of the Theft Act 1968 were committed by those in the following situations:*
 - a) *While on bail and being investigated for separate offence*
 - b) *While on bail and being charged for a separate offence*
 - c) *While on bail pending a trial date for a separate offence*
 - d) *While serving a suspended sentence for a separate offence*
 - e) *While wearing an electric tag for a separate offence*
 - f) *While on probation for a separate offence*

3. *Over the time periods below, how many aggravated domestic burglaries under Section 10 of the Theft Act 1968 were committed by those in the following situations:*
 - a) *While on bail and being investigated for separate offence*
 - b) *While on bail and being charged for a separate offence*
 - c) *While on bail pending a trial date for a separate offence*
 - d) *While serving a suspended sentence for a separate offence*
 - e) *While wearing an electric tag for a separate offence*
 - f) *While on probation for a separate offence”*

Response to your Request

The response provided below is correct as of 25 July 2018

Norfolk and Suffolk Constabularies have considered your request for information and our 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. The Constabularies do not hold, for the purposes of FOIA, all of 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, exceeding 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.

It is considered that to provide an answer to your request will take in excess of 36 hours to provide the information. The Constabularies are unable to provide an answer to questions 2 and 3 as the information is not recorded in an easily retrievable format. In order to establish whether a burglary was committed by an individual whilst on bail, or who had been charged, pending trial, serving a suspended sentence, wearing an electric tag or on probation for a separate offence, would require us to review each crime in turn to establish whether the information was even recorded.

Considering there were 394 persons arrested for burglary offences in the Norfolk area alone during the time frame requested, it would take in excess of 30 hours to extract the data for each Constabulary.

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 Constabularies as £450 and specifies that this sum equates to 18 hours work per force at a standard rate of £25 per hour. This equates to 36 hours of work, or £900, for joint responses.

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 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.

The total number of persons arrested for burglary offences for the 2016 – 2018 calendar years, to 30 June 2018, is provided below. Please note that the information provided relates to arrests as opposed to crimes.

Additionally, prior to 1 April 2017, Dwelling Burglary offences purely related to those that occurred within the 'Home', this did not include sheds, garages etc, which were included under non-dwelling offence categories. Post 1 April 2017 offences are recorded as 'Residential Burglary', which are

inclusive of non-dwellings such as sheds. Essentially this means that the data post 1 April 2017 for residential burglary will most likely be higher as it includes sheds, garages etc.

Offence Description	Description	2016	2017	2018	Total
Norfolk Constabulary					
Aggravated Burglary In A Dwelling	Charge	9	9	3	21
	Postal Requisition (applied from case)	1	1		2
Burglary - Aggravated	Charge	4	2		6
Burglary - Attempted	Adult Caution	1	1		2
	Adult Conditional Caution	1			1
	Charge	9	8	6	23
	Postal Requisition (applied from case)		2		2
Burglary - Distraction	Charge	1			1
	Charge - Postal			1	1
	Postal Requisition (applied from case)			1	1
	Reported for Process	1			1
Burglary - Dwelling	Adult Caution	4	3	3	10
	Adult Conditional Caution	1			1
	Charge	134	108	39	281
	Charge - Postal		9		9
	Postal Requisition (applied from case)	5	19	1	25
	Reported for Process	1	1	2	4
	Youth Caution	1			1
Youth Conditional Caution	1	1		2	
Total		174	164	56	394
Suffolk Constabulary					
Aggravated Burglary In A Dwelling	Adult Caution	1			1
	Charge	24	12	2	38
	Postal Requisition (applied from case)		1		1
Burglary - Aggravated	Charge	5	2	3	10
	Postal Requisition (applied from case)		1		1
Burglary - Attempted	Adult Conditional Caution	1			1
	Charge	10	10	1	21
Burglary - Distraction	Postal Requisition (applied from case)		1		1
Burglary - Dwelling	Adult Caution	3	3		6
	Adult Conditional Caution	1			1
	Charge	99	52	30	181
	Community Resolution	2	1		3
	Postal Requisition (applied from case)		7	3	10
	Reported for Process		4		4

	Youth Caution	2			2
	Youth Conditional Caution	1	1	1	3
Total		149	95	40	284

Police forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the crime data. It should be noted that for these reasons this force's response to your questions should not be used for comparison purposes with any other response you may receive.

Should you have any further queries concerning this request, please contact Clair Pack, 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
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.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