



9th March 2017

Our ref: FOI 004007/17

I write in connection with your request for information received by both Norfolk and Suffolk Constabularies on the 6th March 2017. This response is being provided on behalf of Norfolk and Suffolk Constabularies as a result of ongoing collaboration. In your requests you sought access to the following information:

We would be most grateful if you could provide the following information about police cells & people detained in Police Custody:

The number of cells across the Force?

The number of observation cells (usually cells fitted with CCTV) across the force?

If some or all of the following information is already available, we would respectfully request that it might be shared with us:

Annually – the number and proportion of prisoners put on constant observations, average time spent on constant observations, officer time spent watching these custodies and the cost (actual or estimated) to the force of this activity?

Norfolk and Suffolk Constabularies holds information relevant to your request.

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).

In order to establish what information is held relevant to your request, we have contacted our Custody Development Officer. They have advised that no information is held regarding the cost and average time spent watching detainees on constant observations. With regard to the number of detainees placed on constant observations, this would only be retrievably by viewing each custody record. There are thousands of custody records created each year, across both Norfolk and Suffolk.

To review each record to locate relevant information would be an enormous task and this would significantly 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.

Location	Number of Cells
Aylsham (Norfolk)	8
Kings Lynn (Norfolk)	24
Great Yarmouth (Norfolk)	30
Wymondham (Norfolk)	30
Martlesham (Suffolk)	30
Bury St Edmunds (Suffolk)	24
Total	146

Great Yarmouth and Bury St Edmunds are shared custody facilities between Norfolk and Suffolk Constabularies. All cells have CCTV.

This response will be published on both the Norfolk and Suffolk Constabulary web-sites. A link to the disclosure log pages of each Constabulary web-site is provided below.

<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 me quoting the reference number shown above.

Yours sincerely,

Amanda Gibson
Freedom of Information Department

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/>

The Norfolk 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.

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 Constabulary to review their decision.

Ask the Norfolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by the Norfolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk 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
Professional Standards 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 the Norfolk 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 the Norfolk 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