



Freedom of Information Request Reference N°: FOI 003032-19

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 21 August 2019 which you sought access to the following information:

“Could you please provide information on cases of drivers being stopped by police for being distracted for reasons other than using a mobile phone or sat-nav in the last five years.

Please state the reason why the driver was distracted and hence stopped by police; how many drivers have been stopped for similar offences; and whether in each case it resulted in the driver being charged with an offence.”

Response to your Request

The response provided below is correct as of 3 September 2019

Suffolk and Norfolk Constabularies have considered your request for information and the response is below.

There isn't a specific offence of distracted driving, an officer will probably issue a traffic offence for a driver not being in proper control, which would include things like eating, or holding an object. However, some officers will instead use the offence of driving without due care and attention, and we've had these issued for things like eating or applying make-up.

The Constabularies would have to review all offences of 'Driver Not Having Proper Control' or 'Due Care' individually to see exactly why they didn't have control. The paper records are additionally only held for 12 months and so we would not be able to provide a complete answer to the request in any case.

The table below confirms all offences of 'not in proper control' and 'careless / due care and attention' for the time frame specified. As mentioned, only the last year is retained in paper format, therefore we would be required to manually review officer pocket notebooks to establish the answer relating to the remaining years.

Norfolk	Not in Proper Control	Careless/Due Care
2015	62	101
2016	92	159

2017	35	265
2018	61	274
2019	35	172

Suffolk	Not in Proper Control	Careless/Due Care
2015	51	132
2016	86	115
2017	27	137
2018	48	190
2019	45	149

To provide you with any relevant information, it would be necessary for all officers to review their PNB entries since 2015. In Norfolk, there are approximately 1,500 police officers and over 1,100 in Suffolk. This would take well in excess of 36 hours (18 hours per force), even if each officer only took 5 minutes each to research their PNBs, which is an extremely low estimate, this would equate to in excess of 200 hours.

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.

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.

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 40 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