



9th December 2019

Freedom of Information Request Reference N^o: FOI 004083/19

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 12th November 2019 in which you sought access to the following information:

The number of police officers who have been employed by Norfolk or Suffolk Police and had a criminal conviction/s when they joined the service, from 2004 to present day.

The number of police officers who have been convicted of a criminal offence/s whilst employed by Norfolk or Suffolk Police as a police officer and remained employed as a police officer following misconduct proceedings, from 2004 to present day

Response to your Request

The response provided below is correct as of 3rd December 2019.

Norfolk and Suffolk Constabularies have considered your request and our response is below.

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 estimate that to retrieve all the information you have requested would exceed cost in excess of £450 per force.

The Joint Professional Standards Department has undertaken research of their records in order to identify information, relevant to your request. They have advised that they are able to retrieve conviction details relating to officers that are currently employed by the Constabularies or where recent records are held.

With regard to officers who are no longer employed, this information cannot be extracted within the cost limit. It would take extensive research to identify all officers who have left the employment of the forces, since 2004, and then to carry out further enquiries regarding convictions and misconduct proceedings.

It is difficult to accurately gauge the time this would take but it would clearly significantly exceed 36 hours for the two Constabularies.

This would therefore exceed the appropriate limit for dealing with a Freedom of Information request, in terms of cost, 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 each, 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 the Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, we have supplied information, relative 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.

NORFOLK

Q1 One currently serving officer was convicted of a criminal offence, prior to them joining the Constabulary, between the above dates.

Q2 Two serving officers were convicted of road traffic offences, between the above dates, and remain employed following misconduct proceedings.

One further officer was convicted of a road traffic offence and remained employed following misconduct proceedings. The officer is no longer serving.

One officer was convicted of a criminal offence between the above dates. It was determined that the matter would not progress to misconduct proceedings and the officer received management action. The officer is no longer serving.

SUFFOLK

Q1 One currently serving officer was convicted of a road traffic offence prior to joining the Constabulary, between the above dates.

Q2 One serving officer was convicted of a criminal offence, between the above dates, and remains employed following misconduct proceedings.

Two serving officers were convicted of road traffic offences during the above dates. It was determined that the matters would not progress to misconduct proceedings and the officers both received management action.

One further officer was convicted of a road traffic offence and it was determined that they would receive management action. The individual is no longer a serving police officer.

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 40 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