



SUFFOLK CONSTABULARY

FREEDOM OF INFORMATION REQUEST

REQUEST NUMBER: FOI Request 004539-17

REQUEST DETAILS:

- 1) *"On what date and for what reason did Suffolk police change their policy on Wiles from the one given in 2012 to the one they claim they have now?"*
- 2) *How many people in the Suffolk police area did this change of policy actually effect and have been informed by Suffolk police their notification periods have been extended?"*
- 3) *Roughly what was the average delay in years in informing these people their notification periods were going to be extra judicially extended after they had been sentenced.*
- 4) *Due to this delay there would obviously have been a significant number of people who would have had their notification periods expire and not have been subject to the notification requirements for a number of years. So how many of these people have been traced and forced to "re-register" by Suffolk police due to this change of policy?"*

RESPONSE:

Suffolk Constabulary has considered your request for information and our response is below.

This response is correct as of 10 April 2017

Suffolk Constabulary has not changed its policy since the R v Wiles ruling, which was implemented in April 2005.

Initial guidance from the Home Office was issued in April 2005 confirming the R v Wiles case should be applied 'at least from 1 April 2015'.

Official guidance issued in 2009 provides clear guidance on retrospective cases prior to the R v Wiles case.

The guidance states:

'...Anyone ever made subject of an extended sentence should have their notification period calculated in accordance with R v Wiles (2004). In this respect R v Wiles 2004 is retrospective for as long as s.76 and 85 of the powers of criminal courts (sentencing) Act 2000 has been in force, namely 25 August 2000...'

It additionally confirms the Constabulary should impose the ruling on all cases 'as and when such individuals come to police attention on a case by case



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basis'.

With respect the number of persons we have notified with regards their notification requirements and the length of delay is not recorded centrally and as a result, we would be required to manually review all Records to establish an accurate number.

Although we can confirm that no one has been forced to re-register.

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. Suffolk Constabulary does not hold, for the purposes of FOIA, 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, which would exceed 18 hours. This would exceed 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 Suffolk Constabulary as £450 and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

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 £450 limit imposed on Freedom of Information requests.