



Freedom of Information Request Reference N°: FOI 002041-19

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 2 June 2019 which you sought access to the following information:

1. *"The number of current, un-expired, Non-Molestation Orders under section 42 you have registered in your police force.*
2. *The number of Non-Molestation Orders in 1) where the order has been made against a male.*
3. *The number of Non-Molestation Orders in 2) where you have evidence the order has been served on the person against whom the order was made.*
4. *In the most recent full year (calendar year or otherwise) for which you have records please indicate how many reports of breach of a Non-Molestation Order which were made to your police force.*
5. *For the reports of a breach of a non-molestation order in 4) please indicate the number of occasions an offender was charged with an offense under [section 42A of the Family Law Act 1996](#)."*

Response to your Request

The response provided below is correct as of 25 June 2019

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

In order to answer questions 1 to 3 the Constabularies would be required to review 3,763 scanned documents for Norfolk Constabulary, for the time frame 2003 – 2019. Each would need to be reviewed to establish whether it was a non-molestation order, whether the respondent was male and whether we had proof of service.

Considering a search of 1 minute per document, it would take the constabulary in excess of 60 hours to extract this information for Norfolk Constabulary.

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.

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.

1. For Suffolk Constabulary, there were 18 non-molestation section 42 orders.
2. In 17 orders the respondent was male and in one there was both a male and female respondent.
3. For Suffolk there were none, as the process is that the order is not placed onto PNC without proof of service, however in all cases the proof of service was not present.
4. The total number of offences recorded of ‘Breach a Non-Molestation Order’ during 2018/19 is as follows:

Date	Norfolk	Suffolk
Jun-18	7	10
Jul-18	6	5
Aug-18	9	8
Sep-18	6	6

Oct-18	8	2
Nov-18	12	5
Dec-18	13	4
Jan-19	13	5
Feb-19	7	5
Mar-19	7	9
Apr-19	8	4
May-19	9	5
Total	105	68

5. The number of charges that arose from the above offences, is as follows:

Outcome	Norfolk	Suffolk
Type 1 - Charged/Summoned/Postal Requisition	32	25

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