

Date: Tue 12 December 2017 **Reference Number:** 20172050 **FOI Category:** Stats - Crime

Title: POCA – Cash detention/forfeiture

Request Date: Wednesday, 15 November, 2017

Response Date: Tuesday, 12 December, 2017

Request Details:

1) Number of POCA cash detention orders obtained each year since 2009 to date.

2) Value of POCA cash detention orders made each year from 2009 to date.

3) Value of POCA cash forfeiture orders made each year from 2009 to date.

Exemptions Applied:

Section 12 – Exemption where cost of compliance exceeds appropriate limit

SYP Response:

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, when refusing to provide such information (because the information is exempt), to provide you the applicant with a notice which:

a.states that fact,

b.specifies the exemption in question and

c.states (if that would not otherwise be apparent) why the exemption applies.

The following exemption applies to the disclosure of the information:

Section 12 – Exemption where cost of compliance exceeds appropriate limit

I approached South Yorkshire Police Financial Crime Investigation Unit for assistance with your request.. They were able to assist me and have given the following explanation for questions 1 & 2.

These questions are complex in the fact that it is asking for the number of cash detention orders obtained each year from 2009 – date. This would require someone to interrogate the JARD system and look at every cash seizure from 2009 and the number of orders that have been made in relation to that cash seizure.

In essence, we would have to manually review each individual seizure in the date parameters on the system to locate and retrieve the information relevant to your request, This process would take much longer than 18 hours' work.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the cost limit for non-central government public authorities is £450. This must be calculated at the rate of £25 per hour, providing an effective time limit of 18 hours.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compl...

Further to above in accordance with Section 16 of the Freedom of Information Act – my duty to provide advice and assistance. I have been advised that your Question 3 - Value of Cash Forfeiture Orders may be retrievable but obviously, any release would be after assessment for FOI exemptions.

FOI Category:

- Stats - Crime