

8<sup>th</sup> January 2019

**Freedom of Information Request – Reference No:20182307**

**REQUEST**

- 1. How many outstanding warrants for arrest are there currently?**
- 2. Please provide a breakdown of the offences the warrants are for, together with the number of outstanding warrants for each offence?**
- 3. For each offence where there are outstanding warrants, please include how many warrants have been outstanding for more than one year.**
- 4. How old is the longest currently outstanding warrant?**

***These are warrants issued by the courts for failing to appear at court. These can be warrants for arrest without bail or warrants where the subject will be issued with a bail notice giving him a new court date. I would term these as FTA warrants.***

**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 exemptions apply to the disclosure of the information:

**Section 40(2) Personal Information.**

**Section 30(1) – Investigations and Proceedings conducted by the Local Authority**

**Section 31(1) Law Enforcement**

**Section 40(2) Personal Information**

This is an absolute exemption and therefore a Public Interest Test is not relevant. However, for clarity, I will explain my rationale for engaging this exemption.

Section 40(2) provides that information is exempt if it is the personal data of someone other than the applicant and disclosure would breach any of the data protection principles. The term 'personal data' means data that relates to a living individual who can be identified. Information disclosed under the Freedom of Information Act is disclosed into the public domain, effectively to the world, not just to one individual. Although not explicitly naming individuals, the cumulative effect of releasing the Offence title of any warrant and the outstanding time scales may lead to the identification of those involved. This would be breaching the right to privacy afforded to persons under the Data Protection Act 1998.

**Section 30(1) – Investigations and Proceedings conducted by the Local Authority**

**Section 31(1) Law Enforcement**

## **Overall Harm**

It is important to state that a response to a Freedom of Information request is not just published to the requestor, but also to the world as well, by its possible publication on the forces disclosure log. Therefore, any material provided within a response could be potentially viewed by anyone who wished to see it.

Disclosing details of current outstanding arrest warrants and the time scales involved with each individual one may jeopardise police work and investigations ongoing in relation to them.

## **PUBLIC INTEREST TEST**

### **Section 30 – Favouring disclosure**

- The public would have a better understanding of how investigations are conducted by South Yorkshire Police and the public funds used to investigate such cases.
- The publishing of information into the public domain, could lead to more people coming forward with information in their community

### **Section 30 – Favouring non- Disclosure**

- Any current and/or future investigation or enquiries into this type of event could be compromised, by the release into the wider public domain of specific details in relation to warrants.

### **Section 31 – Favouring disclosure**

- There is a legitimate public interest in knowing that the force fulfils its policing functions effectively and efficiently in dealing with this particular type of incident.
- Provision of this data would reassure the public that South Yorkshire Police is actively policing this and that safety of communities is paramount.

### **Section 31 – Favouring non- Disclosure**

- Members of the public will not report incidents to the Police for fear of confidentiality
- Damage to the Force's ability to prevent and detect crime if they are not aware what is ongoing in the community.

## **Balancing Test**

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. While there is also a public interest in the transparency of policing functions and at the same time providing assurance that the police service is appropriately and effectively working to safeguard the public. It is my opinion due to the current date parameters requested along with the breakdown of the data, that releasing this information in full may engaged the above exemptions.

With this in mind, I am prepared to disclose as much detail as possible without triggering the above exemptions. Please see the attached spreadsheet and the below explanation from SYP Warrants & Firearms Manager.

### **1. How many outstanding warrants for arrest are there currently?**

*848 warrants currently held by South Yorkshire Police*

*515 of these are held on our new system (Connect).*

*333 are held on the older warrants system and being migrated to Connect*

**2. Please provide a breakdown of the offences the warrants are for, together with the number of outstanding warrants for each offence?**

*Due to the limits of the previous database we are unable to provide details of the offence breakdown for the 333 warrants held on this database other than the ACPO Categories:*

*82 Cat A*

*214 Cat B*

*37 Cat C*

*Of the 515 warrants held on the new databased the breakdown of offences is as follows:*