

10 December 2024

FOI Ref 17563

Request - You asked us the following:

Firstly, thank you for your email and enclosed figures. Thank you further, for detailing the nature of the figures provided.

I note you've stated the figures provided, relate to:

"the total number of notifiable offences, finalised as Outcome 17:
Suspect identified but prosecution time limit expired, where an offence subject to Limitation of Proceedings was the principal crime that would have been charged, between 01/04/2014 and 09/12/2024."

Please might it also be possible to request figures for Outcome 17 in cases which also include other Offences - Offences which are not bound by Statutory Time Limits? To demonstrate my additional request, I use the following example:

A Suspect has been identified, and the charges under consideration are:

Disclosure of Private Sexual Material with the Intent to Cause Distress (an either-way Offence under Section 33 of the Criminal Justice and Courts Act 2015), AND, Harassment under Section 1 of the Protection from Harassment Act 1997 (a Summary only Offence, bound by Statutory Time Limits). In such cases, if the full case was submitted to the CPS after the Statute of Limitations for Harassment had already timed out, but charges were still being considered for the more substantive Offence/charges were later brought forward for the substantive Offence, might it be possible to obtain figures for Outcome 17 in such cases too?

We received your request on 10/12/2024 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.
Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the prescribed limit'.



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The above information has been withheld for the following reasons:

There is no method by which we can readily retrieve information from our systems to answer this request. For the time period requested, between 2014 and the present day, there have been in excess of 1,300 offences which may conform to the nature of the request. In order to ascertain whether the offence outcome was recorded as Outcome 17 in cases which also include other Offences not bound by statutory time limits, the record for each offence would require manual review. To extract this data would therefore require a very labour-intensive manual trawl through each record.

From dip sampling, it has been estimated that it would take approximately 10-15 minutes to review each record to answer this request, this would equate to between 216 and 325 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the Freedom of Information Act by some considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

Unfortunately, we cannot suggest a way in which your request could be simplified or pared down in order to bring it within the confines of the time and cost threshold.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.



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3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit