



Our Ref: 003138/20

Your Ref:

Address Correspondence to: Information Management

Date 22 September 2020

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 21/09/2020 in which you requested the following information: -

I am writing to you under the Freedom of Information Act 2000 to request the following information:

- Please list, including location and offence, all crimes committed by people in possession of UK police or British military issued weapons, in each of the last three full calendar years, broken down by year, along with 2020 to date.*
- How many UK police or British military issued weapons have been recovered (not including amnesties or surrenders) by your force, in each of the last three full calendar years, broken down by year, along with 2020 to date.*

I would like the above information to be provided to me in Excel format emailed to matthabusby@gmail.com. If to provide this information would trigger the cost exemption, please let me know as soon as possible, and I will refine my request.

If this request is unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters. If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary.

If the release of any of this information is prohibited on the grounds of breach of confidence, I ask that you supply me with copies of the confidentiality agreement and remind you that information should not be treated as confidential if such an agreement has not been signed. If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please provide advice and assistance, under the Section 16 obligations of the Act, as to how I can refine my request.

I understand that you are required to respond to my request within the 20 working days after you receive this letter. I would be grateful if you could confirm in writing today that you have received this request. If you have any queries please don't hesitate to contact me via email or phone and I will be very happy to clarify what I am asking for and discuss the request, my details are outlined below.

I can confirm, pursuant to s1(1)(a) of FOIA that this Force does hold the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire 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 exemption(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

Leicestershire Police are able to provide details of all crimes committed using a weapon (although not those where a weapon was present but not “used”) and also all “Possession of Weapon” offences. However, we cannot tell where the weapon came from without reading each log individually, (the logs aren’t searchable electronically) and unless we have recovered the weapon we would not know whether it was Police or Military issue.

In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer any of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to the Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force’s full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer

Leicestershire Police