



Our Ref: 000018/21

Your Ref:

Address Correspondence to: Information Management

Date 26 January 2021

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 04/01/2021 in which you requested the following information: -

Section 4 of the Crossbows Act 1987 states:

(1) If a constable suspects with reasonable cause that a person is committing or has committed an offence under section 3, the constable may—

(a) search that person for a crossbow or part of a crossbow;

(b) search any vehicle, or anything in or on a vehicle, in or on which the constable suspects with reasonable cause there is a crossbow, or part of a crossbow, connected with the offence.

(2) A constable may detain a person or vehicle for the purpose of a search under subsection (1).

(3) A constable may seize and retain for the purpose of proceedings for an offence under this Act anything discovered by him in the course of a search under subsection (1) which appears to him to be a crossbow or part of a crossbow.

(4) For the purpose of exercising the powers conferred by this section a constable may enter any land other than a dwelling-house.

With that legislation in mind, I would like to know how many people have been searched since the law's inception to the present day in your policing area.

Section 2 of the Crossbows Act 1987 states:

A person under the age of [F1eighteen] who buys or hires a crossbow or a part of a crossbow is guilty of an offence.

With that legislation in mind, I would like to know how many people have been found guilty of an offence for either hiring or buying a crossbow since the law's inception to the present day in your policing area. In addition, I would like a Gender Breakdown of the offenders i.e. '76% of people arrested were female' etc.

Section 3 of the Crossbows Act 1987 states:

A person under the age of [F1eighteen] who has with him—

(a) a crossbow which is capable of discharging a missile, or

(b) parts of a crossbow which together (and without any other parts) can be assembled to form a crossbow capable of discharging a missile,
is guilty of an offence, unless he is under the supervision of a person who is twenty-one years of age or older.

With that in mind I would like to know how many people under the age of 18 have been founded guilty of an offence for not being under the supervision of a person who is at least 21 years old in your policing area.

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.

The information you have requested covers 34 years, much of which we would no longer hold information for. The request you have submitted would require a manual review of all offences within the last 34 years to identify those relating to the specific circumstances detailed in your request. This review would take in excess of 18 hours.

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.

Section 16 – Duty to Assist

Pursuant with the Act, and Leicestershire Police’s duty to assist we can suggest that should you refine your request to cover a smaller time period, specifically from May 2015, this would make the search far more manageable. Further, the specific set of circumstances you have requested requires a manual review.

Leicestershire Police could search for those Offences under the Crossbow Act 1984, however this will not include all crossbow offences as where multiple offences have been committed they are recorded under the most serious Offence. Please consider the above and if you would like to submit a refined request Leicestershire Police will consider any new request for suitability to release.

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