



Our Ref: 002247/21

Your Ref:

Address Correspondence to: Information Management

Date 27 July 2021

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 01/07/2021 in which you requested the following information: -

- *Please provide the number and a breakdown of digital devices e.g. mobile phones/laptops/desktop computers/games consoles/cameras belonging to complainants and victims waiting to be forensically examined by your force as of today's date? Please state for how many days each device has been waiting to be forensically examined.*
- *Please provide the number and a breakdown of digital devices e.g. mobile phones/laptops/desktop computers/games consoles/cameras belonging to defendants and suspects waiting to be forensically examined by your force as of today's date? Please state for how many days each device has been waiting to be forensically examined.*
- *Please provide the number of cases to which the aforementioned digital devices relate, which are waiting to be forensically examined as of today's date?*
- *Please provide the number of instances and a breakdown of digital devices e.g. mobile phones/laptops/desktop computers/games consoles/cameras belonging to complainants and victims where personal data or the device itself has been lost by the force in the past five financial years (including the year to date). Please state whether those personal data or digital devices were lost before or after having been forensically examined by your force in the past five financial years (including the year to date).*
- *Please provide the number of instances and a breakdown of digital devices e.g. mobile phones/laptops/desktop computers/games consoles/cameras belonging to defendants and suspects where personal data or the device itself has been lost by the force in the past five financial years (including the year to date). Please state whether those personal data or digital devices were lost before or after having been forensically examined by your force in the past five financial years (including the year to date).*
- *Please provide the number of Forensic Digital Examiners currently employed by your force's High Tech Crime Unit or in Kiosk facilities to examine digital devices e.g. mobile phones/laptops/desktop computers/games consoles/cameras belonging to victims and witnesses. Please include any other police officers or staff with titles other than Forensic Digital Examiners who are assigned to this task, and please include other departments other than the High Tech Crime Unit/Kiosk facilities if applicable.*
- *Please provide the number of Forensic Digital Examiners currently employed by your force's High Tech Crime Unit or in Kiosk facilities to examine digital*

devices e.g. mobile phones/laptops/desktop computers/games consoles/cameras belonging to defendants and suspects. Please include any other police officers or staff with titles other than Forensic Digital Examiners who are assigned to this task, and please include other departments other than the High Tech Crime Unit/Kiosk facilities if applicable.

- Please state the force's target timeframe (in days) for digital devices to be examined.*
- Please confirm whether the force has met that aforementioned target timeframe in each of the past five financial years (including the year to date)?*
- Please confirm the process by which the length of time that an electronic device is kept by the force is recorded.*
- Please provide the number of occasions where the amount of time a digital device has been kept by your force exceeded the estimate given to a victim or witness.*
- Please provide the number of occasions where the amount of time a digital device has been kept by your force exceeded the estimate given to a defendant or suspect.*

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 do not hold the information you have requested in point 1 in a central location, therefore to gather the requested information would require us to interrogate the information on each Force area and cross reference between multiple systems. This would take in excess of 18 hours to complete.

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.

Leicestershire Police have not recorded any lost devices as mentioned at points 4 and 5 of your request. The further detailed information relating to types of device and numbers of cases is likely if retrieved to be considered exempt by virtue of section 31.

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