

Contact: Freedom of Information
Direct Telephone: 0300 122 8752
Extension: 68752
Email: FOI@derbyshire.police.uk
Our reference: 01/FOI/25/007184/S

Your reference:

Date: 02/07/2025

FREEDOM OF INFORMATION REQUEST - REFERENCE NO: 01/FOI/25/007184/S

I write in connection with your request for information which was received by Derbyshire Constabulary on 22/06/2025. I note you seek access to the following information:

I wish to make a freedom of information request and would be grateful if you could supply the following information, broken down by nationality (note - in any instance where an certain nationality has fewer than 5 results, please use FOI best practice and simply provide the appropriate response of "<5") for the years 2018 - 2024

Question 1 –

- the total number of arrests (and broken down by nationality) for each detailed offence within the following the offence groups: "violence against the person" and "sexual offences".

Question 2 –

The total number of arrests by your force (and broken down by nationality) that led to an individual being proceeded against for each detailed offence within the following offence groups: "violence against the person" and "sexual offences".

If possible, I would also be grateful if you could disclose the number of arrests (2018 - 2024) for violence against the person which are a knife crime (broken down by nationality) as well as the number of cases that led to an individual being proceeded against (broken down by nationality)

Clarification

Neither. By Nationality of offender/ individual arrested.

Result of Searches

Following receipt of your request, searches were conducted within Derbyshire Constabulary to locate any relevant information. The searches located some information relevant to your request.

Decision

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On this occasion I am unable to provide you with the information you requested under the Freedom of Information Act 2000 as I have applied Section 12 of the Act - 'Excess Fees'; the rationale for which is shown below.

This letter therefore represents our formal refusal to supply the information you requested.

Reason(s)

Section 12(1) of the Freedom of Information Act 2000 provides that Section 1(1) (General Right of Access to Information) 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 appropriate limit."

The Constabulary utilises a computerised system for the management of crime and associated matters. While the system includes a range of search functionalities, it does not support the extraction of the information requested in Questions 1 and 2 through a simple or automated search.

Due to the structure of our recording systems, the information—if held—is not stored in a readily retrievable format. Our standard retrieval process relies on system-generated reports that extract data from specific fields or surface-level entries. However, where relevant information is embedded deeper within records or outside of searchable fields, a manual review of each individual record is required.

Following consultation with our analytical team, we have determined that to identify the requested information—specifically within the offence groups of "violence against the person" and "sexual offences"—a manual review of arrest records would be necessary. Between 01/01/2020 and 31/12/2024, there were 31,816 arrests recorded. At an estimated 5 minutes per record to review, this would equate to a minimum of 2,651 hours of work.

The offence categories used in this assessment include 'Violence without Injury', 'Violence with Injury', 'Rape', and 'Other Sexual Offences'. Given the scale of the task, the cost of compliance would exceed the appropriate limit set out under Section 12 of the Freedom of Information Act 2000.

The costs limit is set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. For non-central government public authorities such as the Derbyshire Constabulary the appropriate limit is £450 (which can be calculated as 18 hours of work where an hour is charged at a standard national rate of £25). This means that, in effect, there is a time limit of 18 hours.

The public authority's estimate of the cost of compliance should be "*sensible, realistic and supported by cogent evidence*" - Information Tribunal: *Randall v Information Commissioner and Medicines and Healthcare Products Regulatory Agency* (EA/2006/0004)

Regulation 4(3) provides that the following factors can be taken into account when formulating a cost estimate:

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- (a) Determining whether it holds the information,
- (b) Locating the information, or a document which may contain the information,
- (c) Retrieving the information, or a document which may contain the information, and
- (d) Extracting the information from a document containing it.

Section 17(5) of the Freedom of Information Act 2000 a public authority which, in relation to any request for information, is relying on a claim that section 12 or section 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.

For the sake of completeness, I should also point out that as the whole request exceeds the fees limit, we are not obliged to indicate further where either exemptions or a "neither confirm nor deny" response may have been relevant to any part of your request.

Should you be able to substantially amend your request it may be possible to provide some information within the fees limit. However, given the above position and in line with my responsibilities under Section 16 of the Act I am at this time unable to offer any alternative(s). Additionally, I need to add that it is our policy to decline the opportunity to undertake such retrieval at cost payment as the apparent result appears to be disproportionate to the effort of our resources to achieve it.

I am sorry that on this occasion we cannot provide the information that you requested but I hope you understand that there is a finite limit to the amount and scope of retrievable information we record in terms of effective resource use.

NB A public authority is not obliged to assist an applicant in redefining a request to within the time/cost limit if there is no probability of achieving this. This was confirmed in Decision Notice 50194062.

Right to Request a Review (Complaint)

Your attention is drawn to the attached sheet, which details your right of complaint.

I would like to take this opportunity to thank you for your interest in Derbyshire Constabulary.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer, on the above telephone number quoting the reference number in the header.

Yours sincerely

Freedom of Information Officer

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COMPLAINT RIGHTS and COPYRIGHT ISSUES

If you are unhappy with how your request has been handled or you do not think the decision is correct, you have the right to require the Derbyshire Constabulary to review their decision. Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter. That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision that Derbyshire Constabulary have made under the Freedom of Information Act 2000 (the Act) regarding access to information, you can lodge a complaint with the Derbyshire Constabulary to have the decision reviewed. **However, this request must be made within 40 working days from the date of our response.**

Complaints should be made in writing and addressed to **Freedom of Information Officer, Derbyshire Police Headquarters, Butterley Hall, RIPLEY, Derbyshire, DE5 3RS** or via email at foi@derbyshire.police.uk

Where possible the Derbyshire Constabulary will aim to respond to your complaint within 20 working days. However, meeting this time scale will depend upon the circumstances and complexity of the issue.

The Information Commissioner

After lodging a complaint with the Derbyshire Constabulary, if you are still dissatisfied with the decision, you may make an application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make an application to the Information Commissioner please visit their website at www.ico.org.uk. Alternatively, telephone or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF - Telephone: 0303 123 1113.

Important notice regarding Copyright for all disclosures

The Derbyshire Constabulary, in complying with their statutory duty under sections 1 and 11 of the Freedom of Information Act 2000 to release the enclosed information, will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Derbyshire Constabulary Headquarters, Butterley Hall, Ripley, Derbyshire, DE5 3RS.

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