



Freedom of Information Request 385/12

Response date: 11th July 2012

Under the Freedom of Information Act, will you please disclose, for the years 2005 to 2011 inclusive:

- (a) How many allegations of fraud, financial, white collar, or indeed any type of crime implicating, either directly or indirectly, a member of the legal profession have been reported to the force?
- (b) How many of these allegations were logged in police records, and assigned a crime report number?
- (c) How many of these allegations were referred to the Solicitors' Regulation Authority, Law Society, or any other regulatory body, in lieu of a police investigation?
- (d) How many were considered "civil matters"?
- (e) How many investigations did the force complete as a result of these allegations?
- (f) How many of these allegations were not investigated by the force?
- (g) How many of these investigations were completed as paid services under the private hire of the police for the performance of special services under the 1996 Police Act provision?
- (h) How many of these investigations resulted in charges being laid
 - i) under the normal course of police duties and ii) under private company hire for the performance of special services?
 - (i) How many resulted in convictions i) under the normal course of police duties and ii) under private company hire for the performance of special services?
- (j) Please detail the type of crime, the year in which the allegation was made, and the year in which the investigation was completed.
- (k) Please advise how many police staff have qualifications in forensic accounting, and what those qualifications are.
- (l) Please advise how many times private contractors have been hired by the force for the purpose of forensic accounting work during a fraud/white collar crime investigation.
- (m) How many of these allegations have culminated in charges being laid against the complainant under the Vexatious Litigants Act 1981?
- (n) How many of these allegations have resulted in arrest warrants being issued against the complainant?

RESPONSE

Part VI of the Section 45 Code of Practice places a duty on public authorities to implement a complaints process to ensure that applicants are able to request an internal review if they are not content with an authority response.

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After conducting an internal review of the aforementioned Freedom of Information request, in a fair and impartial manner, South Wales Police maintains that Section 12 (Exemption where cost of compliance exceeds the appropriate limit) is engaged.

However subsequent enquires have identified that the element of the response which related to The Data Protection Act 1998 was wrongly applied in this case.

Section 17(5) of the Freedom of Information Act 2000 requires South Wales 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.

In relation to your particular request, the following exemption applies:

Section 12 – Exemption where cost of compliance exceeds appropriate limit.

In relation to questions b – n, this information is not easily retrievable. We were able to conduct a detailed person search on our local crime and incident recording system (Niche RMS) using the following details:-

Empl/Misc – *occupation* – Legal // *Occ Type* – Advocate, Articled Clerk, Barrister, Court employee, Court Usher, CPS Employee, Judge, Magistrates Clerk, Recorder, Sherriff, Solicitor, Stipendiary Magistrate.

Involved – *Classified* - Arrested, Cautioned, Charged, Final Warning, Fixed Penalty, Fixed Penalty – Fine Registered, No Further Action, Reported for Summons, Reprimanded, Subject – Crime, Suspect, Wanted on Warrant. *Occurred Between* – 2005 - 2011

Please note that this search depends entirely on the completion of the occupation field. This search brought back 131 results. These results do not just relate to fraud, they relate to all crime categories.

In order to answer questions b) c) d) e) f) g) h) j) l) m) and n), we would need to individually interrogate each occurrence within the individual's person record within Niche. It would take approximately fifteen minutes to gather the information in relation to one individual. Therefore we estimate that it would take approximately 32 hours to answer this part of your request.

In order to answer question i), we would need to conduct a separate check on each individual on the Police National Computer. This would take approximately four minutes per individual. Therefore we estimate that it would take between 8 and nine hours to answer this part of your request.

In order to answer question k), we would need to examine the electronic personnel record (Cyborg) for each member of staff. South Wales Police have 1774 police staff members. It would take approximately three minutes to examine each personnel record. Therefore we estimate that it would take approximately 88 hours to answer this part of your request.

To conclude, we estimate that it would take approximately 128 hours to answer your request.

It is estimated that 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.

In the case of the police service, the appropriate limit is £450 which has been calculated to equate to a total of 18 hours of work.

If any part of the request exceeds the fees limit then Section 12 applies to the whole request. In accordance with the Freedom of Information Act 2000, this letter acts as a refusal notice.

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