



Derbyshire Constabulary

Ms Eva Joyce

Telephone: 101
Direct Line: 0300 122 8752
Ask For: Freedom of Information
Our Ref: 001145/21
Your Ref: Over 60 Fraud
Date: 18 March 2021

Dear Ms Joyce

FREEDOM OF INFORMATION REQUEST - REFERENCE NO: 001145/21

I write in connection with your request for information which was received by Derbyshire Constabulary on 25/02/2021. I note you seek access to the following information:

- 1. How many people over the age of 60 (or closest age range) reported a financial crime or financial fraud in your region in 2019 and 2020.*
- 2. How many people were convicted of a financial crime or financial fraud in your region in 2019 and 2020.*
- 3. How many reports of becoming a victim of COVID vaccine fraud have there been in your region? Please provide information split by age range if possible.*
- 4. Please report each category separately for each year.*

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

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 custody system for the management of crimes and associated matters. A separate, nonlinked system is utilised for call management etc. Given the nature of the offence and the involvement of Action Fraud as the primary call taker for such offences the Constabulary are not, in this instance, the best placed from which to obtain the information as requested. For example over the requested period some 2707 incidents were recorded re possible fraud and these do not contain victim details/age. In addition some 2192 crimes were recorded. For the former to obtain details such as age each incident would have to be reviewed by a member of staff and then cross linked to crimes recorded. At a conservative estimate of 1 minute per incident this would require in excess of 45 staff hours to complete; a figure well above the nationally agreed threshold.

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:

- (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.

2. Results to cases heard in courts are reported direct to the Home Office - Criminal Justice Division - and are also retained at individual courts. General court data in relation to charged offences may be available direct from the local courts.

The provision of statistics and data reliant upon court results, by individual police forces, was substantially affected in February 2008. At that time the reporting of final court results was undertaken in entirety by the Courts reporting direct to Central Government for retention in a National Criminal Justice database.

Although a "copy" of the final result is also provided electronically to an individual Force (as prosecuting authority) the information provided is saved to nominal and numerical case references and not to capture fields for specific use of retrieval of statistical data such as classes of offences or ages of offenders. The scope and parameters of retrieval by the Derbyshire Constabulary and other forces of court results in statistical form is therefore substantially reduced in comparison to previous years.

The Courts serving Derbyshire are (in alphabetical order) as follows

- Derby Combined Court Centre (Crown and Magistrates) Morledge, Derby DE1 2XE (☎ 01332 622600)
- High Peak LJA, Peak Buildings, Terrace Road, Buxton, Derbyshire SK17 6DY (☎ 01298 23951)
- North East Derbyshire & Dales LJA, Court House, Tapton Lane, Chesterfield S41 7TW (☎ 01246 224040)
- Southern Derbyshire LJA, The Court House, St. Mary's Gate, Derby, DE1 3JR (☎ 01332 362000)

3. None.

In this instance you may be better served if you applied to Action Fraud direct. The below link may be of some use.

[Action Fraud](#)

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

Kevin Lea
Freedom of Information Officer

Enc