



Freedom of Information Request 1336-19

Please supply me with officer and staff conviction data broken down as follows:

The number of staff and officer convictions, for the years of 2008 and 2018 (Jan 1 - Dec 31 of both years) listed by the year of conviction, the offence and the outcome.

If your records do not go back as far as 2008 then I will accept the earliest year you have records for after 2008 and 2018 (the years between are not being requested).

Additional information:

Please note that this request is not in regards to convictions of staff and officers either before or after their employment with the force, and is only for staff and officers who were convicted while still in employment by the force at the time, even if they were on suspension at the time.

RESPONSE

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which:

- a) states that fact
- b) specifies the exemption(s) 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

Section 12 of the FOIA provides an exemption from a public authority's obligation to comply with a request for information where the cost of compliance is estimated to exceed the *appropriate limit*.

In relation to your request the information you have requested cannot be easily retrieved. In order to provide the answer to this question we would need to access each completed vetting record separately to identify any cases whereby criminal convictions have been

declared or recorded. As an example the vetting department completed 1640 vetting cases for performance year 2018-2019, so on average over the ten year time frame for this request there are potentially over 16,000 vetting cases recorded by British Transport Police. It is estimated that it would take approximately 5 minutes to review each case. Therefore, we estimate that it would take approximately 1,333 hours to comply with this part of 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.

This letter acts as a refusal notice under section 17(5) of the Freedom of Information Act 2000.