



Heddlu Police

DYFED-POWYS

FOI Reference: 829/2019

Request:

'How many suspected incidents of illegal fox hunting (with regards to the Hunting Act 2004) have been reported to the force in areas under the force's jurisdiction, in each year since 2014?'

'In how many of these incidents, by year, is a crime (with regards to the Hunting Act 2004) believed to have taken place?'

'In how many of these incidents, by year, has an arrest (with regards to the Hunting Act 2004) been made?'

'By year, how many arrests have been made in relation to suspected incidents of illegal fox hunting (with regards to the Hunting Act 2004) since 2014?'

'How many convictions has the force obtained, by year, in relation to suspected incidents of illegal fox hunting (with regards to the Hunting Act 2004) since 2014?'

Clarification:

In light of the above request a previous similar request was forwarded to the applicant and as a consequence of this the applicant wished for the following questions to be processed under the FOI Act.

- 1) 'How many suspected incidents of illegal fox hunting (with regards to the Hunting Act 2004) have been reported to the force in areas under the force's jurisdiction, in each year since 2014?'
- 2) 'In how many of these incidents, by year, is a crime (with regards to the Hunting Act 2004) believed to have taken place?'
- 3) 'In how many of these incidents, by year, has an arrest (with regards to the Hunting Act 2004) been made?'
- 4) 'By year, how many arrests have been made in relation to suspected incidents of illegal fox hunting (with regards to the Hunting Act 2004) since 2014?'

Response:

Section 1 of the Freedom of Information Act 2000 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.

I can confirm that the cost of determining whether any information relative to question 1 of this request is or isn't held is above the amount to which we are legally required to respond therefore we are withholding the whole of the requested information since we consider that the Section 12 (2) exemption the Cost of Compliance exceeds the Appropriate Limit applies to it.

Where exemptions are relied upon Section 17 of the Freedom of Information Act 2000 requires Dyfed Powys 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 following exemption has been applied to the whole of the information you have requested:

Section 12(2) – The cost of compliance exceeds the Appropriate Limit

Section 12(2) states: "...Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit."

The cost of determining what information is held, if any, relevant to question 1 of your request 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. It is estimated that it would exceed 18 hours (i.e. minimum of **12,859.35** hours) to comply with your request. The regulations can be located @

www.legislation.hms.gov.uk/si/si2004/20043244.htm

The Freedom of Information Department has been advised that the information in respect of your request is not held in an easily retrievable format and we have been advised by the relevant department that they are no longer able to conduct a 'Keyword Search' due to law enforcement issues. In addition to this there is no specific category to record incidents involving fox hunts. Therefore, in order to establish what information, if any, is held in relation to question 1 of the request would require the individual interrogation of all incidents under the categories of 'animal', 'suspicious' and 'other' over the time frame specified to identify if the incident in question related to a fox hunt. It has been established that for the period as specified within the request (i.e. 2014 – 2019) there are a total 77,156 incidents that would require researching. It has been estimated that it would take a minimum of 10 minutes to research a single incident for relevance to question 1 of your request as outlined above, resulting in the following broken down time estimate.

| | | | | |
|--------|--------|----------------------------------|----------|-------|
| 2014 = | 14,506 | incidents @ 10 mins per incident | 2,417.67 | hours |
| 2015 = | 13,105 | incidents @ 10 mins per incident | 2,184.17 | hours |
| 2016 = | 12,613 | incidents @ 10 mins per incident | 2,102.17 | hours |
| 2017 = | 13,414 | incidents @ 10 mins per incident | 2,235.67 | hours |
| 2018 = | 14,208 | incidents @ 10 mins per incident | 2,368.00 | hours |
| 2019 = | 9,310 | incidents @ 10 mins per incident | 1,551.67 | hours |

Total of 12,859.35 hours to complete task and the whole of the request

Please note: A response to questions 2 and 3 of your request can only be ascertained once a response to question 1 of the request has been established.

Please also note: A response to question 4 of the request can be provided within the 18 hour time limit/threshold.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice for the WHOLE of this request under Section 17(5) 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. You may wish to refine and resubmit your request so that it reduces the time shown above to fall within the 18 hours, however with due regard to the time estimate provided above it is unlikely that refining your request will fall under the 18 hours as the same method and format will have to be undertaken. Should you require any further advice in relation to this matter please don't hesitate to contact the Freedom of Information Unit.

Please also be advised that should the request be refined, it does not remove the Force's right to cite exemptions if relevant.

(This is a response under the Freedom of Information Act 2000 and disclosed on 08/10/19)