

Date: Wed 18 October 2017 **Reference Number:** 20171671 **FOI Category:** Stats – Crime

Title: Cash Forfeiture Orders

Request Date: Tuesday, 19 September, 2017

Response Date: Wednesday, 18 October, 2017

Request Details:

Under the Freedom of Information Act 2000, please can you provide me with:

1/ The annual total number of cash forfeiture orders (cash seizure orders) and annual total value of cash forfeiture orders made under the Proceeds of Crime Act for each of the last 5 financial years (2012-13 to 2016-17 inclusive) broken down by year.

2/ The annual total number of reclaimed cash forfeiture orders (unsuccessful cash seizures where the money is returned) and the annual total of reclaimed cash forfeitures (unsuccessful cash seizures where the money is returned) broken down by year for each of the last 5 financial years (2012-13 to 2016-17 inclusive).

3/ Please detail a list of all expenditure for the last 3 financial years from money retained by the force from the Proceeds of Crime Act. Please provide the name of the expense, a description of what it is where necessary or detailed, quantity where relevant, and the amount paid.

Exemptions Applied:

Section 12 – Exemption where cost of compliance exceeds appropriate limit

SYP Response:

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire 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 applies to the disclosure of the information:

Section 12 – Exemption where cost of compliance exceeds appropriate limit

I approached South Yorkshire Police Financial Crime Team for assistance with your request. A Detective Sergeant within the unit was able to assist me and has given the following explanation for question 2.

"the question is asking for details on cash detained under POCA that is returned and not made subject of a cash forfeiture order..."

it would require us to interrogate each individual cash seizure on our property systems that has been conducted over the 5 year period. This would take us a number of days, if not weeks"

In essence, we would have to manually review each individual seizure on our systems to locate and retrieve the information relevant to your request, This process would take much longer than 18 hours' work.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the cost limit for non-central government public authorities is £450. This must be calculated at the rate of £25 per hour, providing an effective time limit of 18 hours.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compl...

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- Stats - Crime