

27th August 2021

Freedom of Information Request - Reference No: 20211608

REQUEST

1. Please provide the total number of digital media devices currently awaiting examination by, or on behalf of, the force.

2. Please provide a breakdown of the number in Question 1 by type of device:

Mobile phone

Laptop

Desktop computer

USB or portable media device

Smart watch

GPS device

Camera

Other

3. For each of the categories in Question 2, please provide a further breakdown showing:

a) How many devices of that type are due to be examined internally by the force

b) The longest wait time a device currently held has been awaiting examination by the force

c) How many devices of that type are due to be examined externally

d) A breakdown listing the external organisations that are due to examine the devices and how many awaiting examination by each organisation.

e) The longest wait time a device currently held has been awaiting external examination, and the external organisation that it is awaiting examination by.

Clarification

South Yorkshire Police has received a number of similar requests to yours in the past:-
<https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/device-examination-ref-20211411/>

It would be helpful if you could review the above entries, which may be useful to your request. If you can then provide us with a refined request, if necessary, to help us to identify and locate any outstanding data you may still require, and not included in the above links.

Response to Clarification

Please proceed with my request dated 28 July 2021 which is covered by none of the disclosures previously made by your Force

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 contacted the Digital Forensic Manager for assistance with your request. They have advised it would require all the submissions they have received to be retrieved, and then a manual review of each to ascertain if they were relevant to your request, and then to locate and extract what kind of digital device has been submitted. In addition, they would then need cross reference each type of device to determine the time waiting for examination, and therefore which was waiting the longest.

In essence, this process would take much longer than 18 hours' work as guided under the FOI act.

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_compliance_exceeds_appropriate_limit.pdf