

1st September 2021

Freedom of Information Request - Reference No: 20211644

REQUEST

I am writing to make a Freedom of Information request for the following information:

1. For the calendar year 2021 so far (until 1 August 2021) please provide:

a) How many digital media devices were forensically examined, or removed from a queue for forensic examination, where the device had been held in relation to any sexual offence/s

b) For each, please provide

i) The type of device (eg mobile, laptop etc)

ii) Whether it was examined, or removed from a queue/schedule for examination (or similar phrasing/action). If removed, the reason why.

iii) The duration (in days) it was held for before examination, or being removed from a queue/schedule.

iv) Whether it was examined (or due to be examined before being removed from the queue/schedule) internally or externally. If external, please provide the name of the external organisation.

v) The level and type of analysis that took place, or had been due to take place before removal.

2.a) b) i) ii) iii) iv) and v) The same for calendar year 2020

3.a) b) i) ii) iii) iv) and v) The same for calendar year 2019

4.a) b) i) ii) iii) iv) and v) The same for calendar year 2018

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 the case management software does not distinguish between sexual offence categories and cannot break down the type of exhibit etc. This request would require manual examination of the spreadsheets and management software this would take 20+ hours to complete

In essence, this process would exceed the time limit allowed by 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/fororganisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf