

30th July 2020

Freedom of Information Request - Reference No: 20201583

REQUEST

1. How many people did your force release 'under investigation' each month for the last two years (up to and including May 2020)? If possible, please can you state the average length of time these people were under investigation prior to being charged or charges being dropped.

2. How many people did your force release on pre-charge bail each month for the last two years (up to and including May 2020)? If possible, please can you state the average length of time these people were on bail for.

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 have approached our Custody Analyst in Performance and Governance, who has explained that they could provide information when the bail was granted but calculating when it ended would necessitate each custody record to be examined. This is because not all bail is finalised as cancelled. Some bails can be surrendered back into custody; are further arrested on fresh evidence; and some custody records are 'closed unanswered bail'. There are also re-bails; surrendered bails that get bailed again; surrendered bails that get bailed to court, and bails that are processed by postal requisition.

In essence, the only accurate way in providing an average bail time, would be to examine each custody record, and retrieve the bail information to assist in calculating an average length of bail time. This process would also 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_compliance_exceeds_appropriate_limit.pdf

Although excess cost removes the force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request neither does it bind South Yorkshire Police to any commitment that it will release information in such a manner in the future .

Our Custody Analyst in Performance and Governance, has provided me with with the following table

Month Granted	Bail	RUI
Jun 2018	275	368
Jul 2018	271	318
Aug 2018	310	423
Sep 2018	356	464
Oct 2018	402	529
Nov 2018	428	456
Dec 2018	408	442
Jan 2019	475	495
Feb 2019	472	452
Mar 2019	461	491
Apr 2019	462	558
May 2019	463	536
Jun 2019	475	608
Jul 2019	612	528
Aug 2019	648	540
Sep 2019	614	552
Oct 2019	635	540
Nov 2019	636	459
Dec 2019	694	430
Jan 2020	786	497
Feb 2020	749	481
Mar 2020	757	477
Apr 2020	836	449
May 2020	1014	577