

25th November 2021

Freedom of Information Request - Reference No: 2021-2296

REQUEST

- 1) How many reports from cyclists of driving offences have there been to South Yorkshire Police in 2019,2020 and 2021?
- 2) How many prosecutions or warnings for driving offenses have resulted following the submission of a report from a cyclist to South Yorkshire Police in 2019,2020 and 2021?
- 3) How many prosecutions or warnings for driving offences have resulted from close pass operations run by South Yorkshire Police in 2019,2020 and 2021?
- 4) Are the figures for question 2) including or excluding those that arose from close pass operations run by south yorkshire police?

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(2) – Exemption where cost of compliance exceeds appropriate limit

I approached our Performance Review Unit for assistance with your request and a Performance Review Officer has advised the following:

Unfortunately this isn't a specific offence category and therefore the only attempt we could have at this would be to retrieve all recorded crimes which mention the word 'cycle' or 'cyclist' in the investigation summary or Initial MO field. However, this would result in a large number of offences irrelevant to this request (such as burglaries where cycles were stolen, offenders seen making off on a cycle, etc) and we wouldn't be able to stipulate that the cycle belonged to the victim, only that a cycle was involved in the crime. This list of crimes would then need manual review to extract the ones relevant to this request.

Due to the very high number of crimes this would return, which would then require a manual review of the circumstances, it is expected that the amount time taken to locate, retrieve and extract relevant data would far exceed the 18 hour cost threshold.

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. . If you feel your endeavours can be achieved within the appropriate limit by refining your request, South Yorkshire Police would be more than happy to consider any further request.

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