

22<sup>nd</sup> April 2022

**Freedom of Information Request - Reference No: 20220701**

**REQUEST**

*I am writing to you under the terms of the Freedom of Information Act 2000 to request information about reports of anti-social behaviour and the use of powers under the Anti-Social Behaviour, Crime and Policing Act 2014.*

*I would like to know:*

- *The number of reports of anti-social behaviour, both (a) including and (b) excluding reports of covid rule breaches, recorded by South Yorkshire Police in each quarter of the full calendar years 2015-2021 (inclusive) and the first quarter of 2022.*
- *The number times each of the six powers specified in the 2014 Act were used by South Yorkshire Police in each quarter of the full calendar years 2015-2021 (inclusive) and the first quarter of 2022, disaggregated by power.*

*To clarify, these powers are:*

*Civil injunctions,*

*Criminal behaviour orders,*

*Dispersal powers,*

*Community protection notices and remedial orders,*

*Public spaces protection orders,*

*Closure notices and orders and Absolute grounds for possession.*

**CLARIFICATION**

- ***Closure orders or notices (these can be full or partial) and Public Space Protection Orders*** – this data is not held by SYP, the local councils record this data and should be approached directly.

**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**

The other orders/powers, as advised above not centrally recorded but I did contact each of our four districts to see what is retrievable. They have provided the following explanations:

Of the dispersal powers, sec 35 dispersal notice are not recorded as a matter of course, the names of those being 'dispersed' are usually added to a 'master' police incident, which itself is created at the start of any operation or 'street safe' period (weekend). We do not keep running totals.

Of the rest of the powers mentioned; Civil injunctions, Criminal behaviour orders, Community protection notices, and Remedial orders, there is no central place for recording these. Any orders applied for or awarded **should** be held on an individual's 'dashboard' on Connect (in the 'Orders / interventions' section). However, this information is not mandatory and depends on the officer in the case updating this field as the orders are applied for, served, or awarded by a court.

There are no 'searches' that will identify numbers of dashboard iterations that have any entry in this field, never mind breaking these field entries down by type.

Add to this the fact that Connect only came into use in November 2018 and you can appreciate you have no data before this time. Connect and its predecessor CMS are both crime recording systems, so civil orders or CBOs issued / awarded would not have been recorded as a measurable type of outcome against any crime record.

To summarise, with the systems we have in place in South Yorkshire, you can look at an individual's record to see if they have or have had an order in place, but you cannot search for an individual or individuals who may have, or may have had orders in place. Nor is there central location where information is stored pertaining to who has, or has ever had an order in place.

In essence to retrieve elements of information for this request would require manual searches of electronic paperwork, historic systems and the Connect system to see if this type of information has been recorded. This is not a mandatory requirement. In essence this data is not recorded centrally and to locate and extract the data the process for each district 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\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)