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24th September 2018

Our Ref: FOI2018/04853

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/04853

I write in connection with your request for information received on 28th August. I note you seek access to the following information:

I am seeking the following records from your police force.

1. Since 2012, sex offenders required to sign the sexual offenders' register have been able to apply to be removed under section 91F(1) of the Sexual Offences Act 2003 as amended on July 30 2012.

Please can you tell me, if possible, how many applications for removal from the sex offenders' register that your police force received from July 2012 to present (28/8/2018) related to an Irish citizen?

2. Please can you tell me, if possible, how many applications for removal from the sex offenders' register that your police force received from July 2012 to present (28/8/2018) related to an offender who was resident in the Republic of Ireland (ie had an Irish Republic address)?

3. Of the applications made by Irish citizens, how many such applications were successful?

4. Of the applications made by Republic of Ireland residents, how many such applications were successful?

5. In the case of each approved application (Irish citizen and/or Irish resident), please indicate the offence the offender committed.

6. Has any offender who was removed (Irish citizen and/or Irish resident), from the sex offender's register subsequently committed a sex crime?

If so, in each case please indicate a) the nature of the offences for which he/she was originally added to the register b) the nature of the offences committed after he/she was removed from the register.

7. Please, can you tell me, in your police force catchment area, per year, from 2007-end of August 2018, how many Irish citizens were convicted of a sexual offence?

8. Please can you tell me, in your police force catchment area, per year, from 2007-end of August 2018, how many Irish residents were convicted of a sexual offence?

9. Under legislation in the Republic of Ireland, contained under section 10(3) of the Sex Offenders Act 2001, where a person on the sex offenders' register in Ireland intends to leave the State for a period of 7 days or more, he/she must notify the Irish police of that intention, so that the Irish authorities can notify the relevant authorities in the jurisdiction he intends travelling.

Please can you tell me:

How many such notifications have your police force received from the Irish Republic authorities, per year, from 2007-17?

10. Of the notifications referred to above in part (9), how many sex offenders were prevented from travelling to your police force catchment area from the Republic of Ireland?

11. Under The Sexual Offences Act 2003 (Notification Requirements) (England and Wales) Regulations 2012, England/Wales police are obliged to notify foreign authorities where a person on the England/Wales sex offenders register travels abroad.

Please can you tell me:

How many such notifications has your police force made to the Republic of Ireland authorities, per year, from 2007-17?

12. Of the notifications referred to above in part (11), how many sex offenders were prevented from travelling to the Republic of Ireland?

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

Response – There is not a specific search base within our computer system to obtain these figures. With over a thousand records required to be manually checked this would bring the request overcost.

Unfortunately this means it is not possible to suggest a way to refine this request, as even if the date range were reduced it would still require hundreds of records to be manually checked.

We therefore, consider that the cost of complying with your request for information would exceed the appropriate limit of £450 as has been stated in the Freedom of Information (Fees & Appropriate Limit) Regulations 2004.

Section 12(1) of the Freedom of Information Act 2000 provides that –

“Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.”

Section 17(5) of the Freedom of Information Act 2000 requires Hertfordshire Constabulary, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice under Section 12 of the Freedom of Information Act.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.