

Dear Mr Dussud

## **Freedom of Information Request Reference No: 2013050002940**

I respond in connection with your request for information which was received by the Metropolitan Police Service (MPS) on 28/05/2013. I note you seek access to the following information:

- I am very sorry it took me so long to answer your previous email (29/04 /2013). Thank you for your help and for asking for clarifications. I mean by "equipment types" the material worn and carried by police officers in their daily job, and the supplementary tools they wear and carry during protests. I hope this helps, .

Your original request 2013040002644 was as follows:

- Request for Information Regarding Police Equipment and Training for Protest Situations Dear Sir or Madam, I am writing to request information and/or documents held by you or stored in archives accessible to you regarding police actions in situations of public demonstration, assembly or protest. Following a request for information sent in February 2013 to the Police Home Office Department, I have been advised to contact you regarding the question mentioned below. Specifically, under the Freedom of Information Act (2000), I am requesting the following: For the question below, please provide information and/or documents relating to the activities of the police forces in situations of protest. We refer to "protest" as assemblies of people (including marches, demonstrations, rallies etc) in which the motive for the assembly, usually in a public place, is for the purposes of expressing themselves about issues of concern. 1. For all the equipment types available for use by police officers in situations of protest that are supplementary to normal police equipment, please provide me with data including: a. The number of items in the possession of police forces for each equipment type; b. The amount of times that such equipment types have been used in the last five years. If you should require any further information, or a clarification, please do not hesitate to contact me.

## **DECISION**

Please note that we can only respond to your request with information regarding

the MPS. We cannot provide a response about other police forces or constabularies in the United Kingdom.

This E-mail is to inform you that it will not be possible to respond to your request within the cost threshold.

We estimate that the cost of complying with this request would exceed the appropriate limit. The appropriate limit has been specified in regulations and for agencies outside central Government; this is set at £450.00. This represents the estimated cost of one person spending 18 hours [at a rate of £25 per hour] in determining whether the MPS holds the information, and locating, retrieving and extracting the information.

Once part of the request goes over cost the whole request is exempt by virtue of Section 12 and there is no obligation to answer any part of the request therefore, In accordance with the Freedom of Information Act (the Act), this E-Mail acts as a Refusal Notice for the whole of your request under Section 12 (2) (See ICO decision notice in Legal Annex).

## **REASONS FOR DECISION**

Your request asks for information that would require a disproportionate amount of work to obtain. The MPS does not hold the information you require centrally, although it may be held locally but not necessarily in an easily retrievable format. I estimate that the Act's cost threshold would be exceeded on the basis of the time needed to conduct the searches outlined below:

You have asked for the types of equipment available for use by officers in protests situations and the number of times such equipment has been used in the last five years.

Checks on our Public Order Command databases show that there were more than 5000 protests within the Metropolitan Police area between 1st June 2008 and 1st June 2013. This figure does not include local protests dealt with by MPS Borough Events Offices across the MPS district. Additionally, this figure does not capture spontaneous protests.

MPS officers policing planned or spontaneous protests are equipped with handcuffs, CS incapacitant spray and a baton. Dependent on the type of protest, other tactical options such as baton guns or firearms support can be implemented by senior management if deemed necessary.

As previously advised to you, the web link below is a link to the manual 'Keeping the Peace.' Appendix 1 from page 95 details the tactical options available to police for protests, demonstrations and the like.

<http://www.acpo.police.uk/documents/uniformed/2010/201010UNKTP01.pdf>

In order to retrieve the information you require, manual searches would have to be made as the number of times equipment used for protest situations is not held on a central searchable database. The searches required would far exceed the cost threshold allowed for Freedom of Information Act requests.

### **Section 16 (duty to assist)**

I would like to provide you with advice as to how you may narrow your request so that it does not exceed the appropriate limit.

Unfortunately due to the rationale noted above, I am unable to suggest any practical way in which your request may be modified in order to bring it within the 18 hours stipulated by the Regulations.

NB A public authority is not obliged to assist an applicant in redefining a request to within the time/cost limit, if there is no probability of achieving this.

This was confirmed in Decision Notice 50194062.

### **COMPLAINT RIGHTS**

Your attention is drawn to the attached sheet which details your right of complaint.

Should you have any further enquiries concerning this matter, please write or contact Yvette Taylor on telephone number [REDACTED] quoting the reference number above.

Yours sincerely

**Yvette Taylor**  
**Information Manager**

### **COMPLAINT RIGHTS**

**Are you unhappy with how your request has been handled or do you think the decision is incorrect?**

You have the right to require the Metropolitan Police Service (MPS) to review their decision.

Prior to lodging a formal complaint you are welcome to discuss the response with the case officer who dealt with your request.

## **Complaint**

If you are dissatisfied with the handling procedures or the decision of the MPS made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with the MPS to have the decision reviewed.

Complaints should be made in writing, within forty (40) working days from the date of the refusal notice, and addressed to:

FOI Complaint  
Public Access Office  
PO Box 57192  
London  
SW6 1SF


 [met.police.uk](http://met.police.uk)

In all possible circumstances the MPS will aim to respond to your complaint within 20 working days.

## **The Information Commissioner**

After lodging a complaint with the MPS if you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk). Alternatively, phone or write to:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Phone 

## **Legal Annex**

Section 1(1) of the Act states that:

Any person making a request for information to a public authority is entitled-

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
- (b) if that is the case, to have that information communicated to him.

## **Section 12 (2)**

Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

## **Section 16 (1) states that**

It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.

Section 17(5) of the Act provides:

(5) A public authority which, in relation to any request for information, is relying on a claim that section 12 or 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.

ICO Decision

[http://www.ico.gov.uk/upload/documents/decisionnotices/2009/fs\\_50143930.pdf](http://www.ico.gov.uk/upload/documents/decisionnotices/2009/fs_50143930.pdf)

**Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.**

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[REDACTED]

[REDACTED]