



Disclosure ref: 12 Sent: 8th March 2019

Freedom of Information Act 2000 Request

Request for the amount notices issued under Section 71; the number of undertakings issued under Section 72; and the number of agreements entered into under Section 73 of the Serious Organised Crime and Police Act

Request

- 1. Please could you provide the number of notices issued under Section 71 of the Serious Organised Crime and Police Act namely the granting of immunity from prosecution for the year ended December 31 2018, and each of the preceding four years, namely December 31 2017, 2016, 2015 and 2014. Please also provide details of the category of offence these have been used for.***
- 2. Please could you provide the number of undertakings issued under Section 72 of the Serious Organised Crime and Police Act namely the number of restricted use undertakings under Section 72 for the year ended December 31 2018, and each of the preceding four years, namely December 31 2017, 2016, 2015 and 2014. Please also provide details of the nature of information in respect of which such undertakings have been given.***
- 3. Please could you provide the number of agreements entered into under Section 73 of the Serious Organised Crime and Police Act namely agreements for assistance by defendant(s) for a reduction in sentence for the year ended December 31 2018, and each of the preceding four years, namely December 31 2017, 2016, 2015 and 2014. Please also provide details of the category of offence these have been used for.***

Response

The data you are requesting in the first part of your questions has been previously published on the Crown Prosecution Service (CPS) website. As this information is reasonably accessible via our website, the CPS is withholding it under Section 21 FOI Act. The data from 1 May 2018 to 30 April 2019 is due to be published in May 2019 and this is withheld under Section 22 of the FOI Act. Please see attached a Section 17 notice that explains these exemptions in detail.

Under Section 16 of the FOI Act we have an obligation to advise what, if any, information may assist you with your request. For ease of reference, I provide below a link to our website that will take you



directly to the information you are seeking. If you open the letters, you will find the data from each of the sections and by year.

<https://www.cps.gov.uk/socpa-information>

In response to the last part of question one, please note this question is not applicable as there are no Section 71 Notices held by the CPS during the timeframe outlined in your request.

Referring to the last part of question two in relation to the details of the nature of information in respect of the twelve Section 72 Undertakings identified in the published data, please note that these details are withheld under Sections 30(1)(c) and 40(2) of the FOI Act. Please see the attached Section 17 Notice for details of these exemptions.

To provide details of the category of offences as requested in the last part of question three would require a manual review of the seventy Section 73 Agreements identified within the published data.

Section 12(1) of the FOI Act means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. [The appropriate limit for central government is set at £600.](#) This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

We believe that the cost of manually reviewing the seventy Agreements would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

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