

28 June 2023

**Reference number: IC-238436-H4V9**

**Request**

You asked us: *"May I politely ask for details following this response and to do with it ?*

*In your response there were 6 cases out of 92 that went to prosecution and my further questions on this are;*

- *Please supply the dates of each prosecuted case.*
- *Please supply the courts these were held in or any other location for them.*
- *Please supply the penalties that were attached to each case.*
- *If you have not names the relevant court in above then please supply each court now.*
- *Please supply the reasons behind all results with 'nfa' attached to them."*

This request was received as a follow up to IC-233384-N3Z6.

We received your request on 14 June 2023.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

**Our response**

We have searched our records and can confirm we hold information in the scope of your request.

Below I will advise of our six prosecutions:

1. The prosecution was at Leeds Magistrates Court. The date of prosecution was 11 June 2019. No penalties were issued as the person was acquitted.
2. The prosecution was at Poole Magistrates Court. The date of prosecution was 2 December 2019. The penalties issued by the court were a 6 month conditional discharge, £700 costs and a £20 victim surcharge. More information about this is available [here](#).
3. The prosecution was at Kirklees (Huddersfield) Magistrates Court. The date of prosecution was 7 June 2021. The penalties issued by the court were a £1,200 fine, £400 costs and a £120 victim surcharge.

4. The prosecution was at Liverpool Magistrates Court. The date of prosecution was 8 July 2021. The penalties issued by the court were a £1,500 fine, £2,243 costs and a £150 victim surcharge.
5. The prosecution was at Coventry Magistrates Court. The date of prosecution was 3 August 2022. The penalty issued by the court was a payment of £250 compensation to each of the 12 people affected. More information about this is available on our [website](#).
6. The prosecution was at Dudley Magistrates Court. The date of prosecution 25 January 2023. The penalties issued by the court were a £5,000 fine (£2,500 fine for each count), £937.40 costs, a £170 victim surcharge and mobile phones were confiscated. More information about this is available on our [website](#).

Below are the reasons why no further action was taken for the other 48 investigations that the ICO has conducted:

- In line with Regulatory Action Policy.
- Data controller does not support prosecution.
- Criminal Investigations Team decision insufficient evidence.
- Legal advise insufficient evidence.
- Legal advise not in public interest.
- Other agency dealing.

## **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

## Your information

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely



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