



7th February 2019

Freedom of Information Request Reference N^o: FOI 000039/19

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 3rd January 2019 in which you sought access to the following information:

From 3 April 2016 – 2 April 2017 please provide force details of:

- The total number of arrests made;
- A breakdown by offence category of the number of arrests;
- The total number of individuals bailed;
- A breakdown by offence category of those bailed;
- The total number of individuals charged;
- A breakdown by offence category of those charged.

From 3 April 2017 – 2 April 2018

- The total number of arrests made;
- A breakdown by offence category of the number of arrests;
- The total number of individuals bailed;
- A breakdown by offence category of those bailed;
- The total number of individuals "Released Under Investigation";
- A breakdown by offence category of those "Released Under Investigation";
- The total number of individuals charged;
- A breakdown by offence category of those charged.

From 3 April 2018 – 31 December 2018

- The total number of arrests made;
- A breakdown by offence category of the number of arrests;
- The total number of individuals bailed;
- A breakdown by offence category of those bailed;
- The total number of individuals "Released Under Investigation";
- A breakdown by offence category of those "Released Under Investigation";
- The total number of individuals charged;
- A breakdown by offence category of those charged.

Response to your Request

The response provided below is correct as of 30th January 2019.

Norfolk and Suffolk Constabularies have located the following information as relevant to your request.

Please see spreadsheets attached.

We have provided the number of arrests resulting in a charge. These figures do not include other positive outcomes, such as cautions, community resolutions, etc. It should also be noted that these figures will change as further investigations are finalised.

Partial Neither Confirm Nor Deny

Additionally, Norfolk and Suffolk Constabularies can neither confirm nor deny whether any other information, relevant to your request is held, as the duty in section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:-

- **Section 24(2) – National security**
- **Section 31(3) – Law enforcement**

Sections 24 and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm that would be caused in confirming or not that the information is held, as well as carrying out a public interest test.

Overall Evidence of Harm

Disclosure of information under the Freedom of Information Act 2000 (FOIA) is considered to be a release to the world, as once the information has been published on the Disclosure Log pages of the Constabularies external websites, the Constabularies have no control over access to that information. Whilst not questioning an applicant's motive for requesting information, it could be of use to persons who are involved in criminal activity, including terrorism related activity.

Although there is a call for openness and transparency, this needs to be balanced against the harm in disclosure of the requested information. The Police Service has a clear responsibility to prevent and detect crime and disorder and to protect the communities we serve.

The prevention and detection of crime is the foundation upon which policing is built and the threat from terrorism cannot be ignored. It is generally recognised in this current environment that the international security landscape is increasingly complex and unpredictable. The current UK threat level from international terrorism, based on intelligence, is assessed as 'severe' which means that a terrorist attack is highly likely. Please see below:-

<https://www.mi5.gov.uk/threat-levels>

Public Interest Test

Section 24 – factors favouring confirmation or denial of whether any other information is held

Confirming or denying whether any other information is held would enhance public debate about the effectiveness of Norfolk and Suffolk Constabularies, in combating terrorist activity, and international criminal activity against our national security. A better informed public can therefore take steps to protect themselves.

Section 24 – factors against confirmation or denial of whether any other information is held

Confirming or denying whether any other information is held would render security measures less effective and would provide useful intelligence to individuals who are involved in terrorist activity. This would lead to the compromise of ongoing or future operations to protect the security or infrastructure of the UK and increase the risk of harm to the public.

Section 31 - factors favouring confirmation or denial of whether any other information is held

Confirming or denying whether any other information is held, would give an indication where public funds are being utilised and increase Police openness and transparency.

Section 31 - factors against confirmation or denial of whether any other information is held

By confirming or denying whether any other information is held would mean that law enforcement tactics would be compromised and this would hinder the prevention and detection of crime.

Confirming whether any other information is held could give an indication of force capabilities. Where this information is requested from other force areas, this would give an indication of capabilities on a national basis.

Balance Test

The security of the country is of paramount importance and the Police Service will not divulge whether any other information is or is not held, if to do so would undermine National Security, and the law enforcement role of the Constabularies. Whilst there is a public interest in the transparency of policing operations and providing assurance that the Police Service is appropriately and effectively engaging with the threat posed by those involved in criminal or terrorist activity, there is a very strong public interest in safeguarding the integrity of police investigations and operations.

As much as there is a public interest in knowing that policing activity is appropriate and balanced, this will be overridden in exceptional circumstances.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for the confirmation or denial of whether any other information is held, is not made out.

No inference should be taken from this response as to whether any other information does or does not exist.

This response will be published on the Constabularies web-site under the Freedom of Information pages:-

<https://www.norfolk.police.uk/about-us/our-data/disclosure-log>

<https://www.suffolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;

<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 40 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply 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.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700