



8th May 2019

Freedom of Information Request Reference N^o: FOI 001277/19

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 1st April 2019 in which you sought access to the following information:

Emergency care workers:

Assault on emergency workers - 13 November 2018. The Assaults on Emergency Workers (Offences) Act 2018 came into force on 13 November 2018. The Act creates a statutory aggravating factor: Offence was committed against an emergency worker acting in the exercise of functions as such a worker.

Please can you disclose the number of attacks on emergency care workers since the new law came into force? Can these figures be broken down month by month.

What type of care worker was attacked for each offence? Was the emergency care worker in question male or female? Age?

Details of the attacker, gender, age etc.

Details of the attack - what happened?

How many have been charged and sentenced in court?

How many were jailed? Details of the jail sentence and other punishments.

Response to your Request

The response provided below is correct as of 25th April 2019.

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

Month / Year	Number
NORFOLK	
December 2018	17
January 2019	33
February 2019	26
March 2019	24
April 2019	12
TOTAL	112
SUFFOLK	
December 2018	7
January 2019	6
February 2019	4
March 2019	8

April 2019	1
TOTAL	26

Victim Type	Number
NORFOLK	
December 2018	
Hospital Staff	8
Paramedic	4
Police	1
Prison Officer	3
Support Worker	1
TOTAL	17
January 2019	
Hospital Staff	16
Paramedic	3
Prison Officer	14
TOTAL	33
February 2019	
Hospital Staff	12
Paramedic	2
Police	1
Prison Officer	11
TOTAL	26
March 2019	
Hospital Staff	13
Paramedic	3
Police	2
Prison Officer	6
TOTAL	24
April 2019	
Hospital Staff	6
Paramedic	1
Police	2
Prison Officer	3
TOTAL	12
SUFFOLK	
December 2018	
Paramedic	1
Police	4
Prison Officer	2
TOTAL	7
January 2019	

Hospital Staff	1
Paramedic	5
TOTAL	6
February 2019	
Fire Service	1
Hospital Staff	2
Police	1
TOTAL	4
March 2019	
Hospital Staff	5
Paramedic	3
TOTAL	8
April 2019	
Police	1
TOTAL	1

Incident Details	Crime Outcome
NORFOLK	
December 2018	
In mental hospital, punched care worker	Type 16
Mental health patient pushed a nurse	Type 16
Mental health patient has spat at a staff member	Type 15
Slapped by mental health patient	Type 10
Assaulted by mental health patient	Type 10
Mental health patient attempted to punch staff member	Type 16
Mental health patient threatening towards staff member	No outcome
Mental health patient grabbed nurse by neck & punched to head	Type 16
Male aggressive to emergency workers in rear of ambulance	Type 1
Intoxicated male assaulted a paramedic by lashing out	Type 1
Whilst being treated in an ambulance, grabbed victim by clothing	Type 16
Made threatening gesture with scissors	Type 16
Hit hand of a detention officer	Type 1
Kicked a prison officer	No outcome
Prisoner threw what is believed to be urine over officer	No outcome
Punched & spat at officer	No outcome
In care home, punched victim	Type 12
January 2019	
Mental health patient kicked out at staff member	Type 1
Punched a nurse	Type 3
Assaulted staff member whilst being restrained	Type 12
Assaulted staff member whilst being restrained	Type 12

Assaulted staff member whilst being restrained	Type 12
Mental health patient grabbed & dragged a staff member	Type 3
Mental health patient punched & nipped staff member	Type 8
Mental health patient struck staff member across face	Type 8
Mental health patient kicked out at paramedic assisting officers	No outcome
Mental health patient assaulted carer by hitting on head	Type 12
Mental health patient attempted to push over member of staff	No outcome
Threw drink over staff member	Type 16
Mental health hospital. Has run at staff member and thrown punches	Type 10
Mental health hospital. Has spat at staff member	Type 16
Struck a nurse in hospital	Type 1
Has assaulted emergency medical technician by attempting to bite & head butt	Type 1
Kicked & thrown punches at officers & paramedics	No outcome
Kicked & kneed an ambulance worker	Type 1
Spat at paramedic	Type 1
Spat at prison officer	No outcome
Kicked a prison officer	Type 20
Spat at officer (HMP)	Type 1
Bit prison officer	Type 20
Kicked prison officer	No outcome
Pushed prison officer	Type 20
Grabbed prison officer around the throat	Type 16
Punched prison officer	Type 12
Liquid thrown over prison officer	No outcome
Spat at prison officer	Type 20
Threw urine over officers	Type 15
Attacked by prisoner	Type 20
Kneed prison officer	Type 20
Pushed prison officer	Type 20
February 2019	
Mental health patient threw cup at staff	Type 16
Mental health patient spat at staff	Type 16
Mental health patient grabbed & pulled staff member	Type 16
Mental health hospital. Punched member of staff	Type 16
Mental health hospital. Threw hot soup at staff member	Type 3
Mental health hospital. Punched staff member	Type 16
Mental health hospital. Abusive towards staff member	No outcome
Abusive towards nurse	Type 1
Punched security guard	Type 1
Mental health hospital. Punched member of staff	Type 1
Mental health hospital. Punched & pulled hair of staff member	Type 1
Mental health hospital. Punched care worker	Type 1

Attempted to punch paramedic	No outcome
Pushed paramedic	Type 16
Spat at officer	Type 1
Spat at prison officer	No outcome
Spat at officer (HMP)	No outcome
Head butted officer	No outcome
Spat at prison officer	Type 20
Struck officer	Type 1
Punches thrown at prison officer	Type 20
Punched prison officer	Type 20
Spat at prison officer	Type 20
Spat at prison officer	No outcome
Punched & kicked victim	No outcome
Kicked prison officer	Type 20
March 2019	
Assaulted hospital staff	Type 8
Assaulted hospital staff	Type 8
Mental health hospital. Punched staff member	No outcome
Mental health hospital. Spat at staff member	No outcome
Mental health hospital. Pushed staff & spat in face	No outcome
Grabbed care worker by throat & hair	Type 16
Punched & kicked victim	Type 15
Mental health hospital. Spat at staff member	Type 16
Mental health hospital. Punched staff member	No outcome
Care worker assaulted by resident	No outcome
Punched care worker	No outcome
Mental health patient hit staff member on arm	No outcome
Pushed table over doctor	No outcome
Slapped paramedic	Type 12
Attempted to punch a paramedic	No outcome
Punched & spat at paramedic	Type 1
Spat at detention officer	Type 1
Spat at police	Type 1
Threw food at prison officer	Type 20
Threw drink container at officer	Type 20
Punched prison officer	Type 20
Punched prison officer	Type 20
Head butted & punched prison officer	Type 20
Spat at prison officer	No outcome
April 2019	
Mental health patient, broke window causing glass to hit member of staff	No outcome
Mental health hospital. Punched a member of staff.	No outcome

Mental health hospital. Chased member of staff causing them to fall	No outcome
Mental health hospital. Threw item at member of staff	Type 16
Mental health hospital. Threw cup at staff member	No outcome
Mental health hospital. Punched a staff member	No outcome
Spat at paramedic	Type 1
Grabbed police officer	Not recorded
Pushed police officer in stomach	Not recorded
Spat at prison officer	No outcome
Punched & bit prison officer	No outcome
Sprayed liquid at prison officer	No outcome
SUFFOLK	
December 2018	
Intoxicated male threw plastic cup at paramedic	Type 15
In custody. Detention officer assaulted by prisoner	Type 1
Male prisoner assaulted prison officer	Type 16
Suspect threw hot water through cell door	Type 15
Detained on mental health ward pushed member of staff	Type 12
Detained on mental health ward. Pushed member of staff & threw a cup	Type 12
Pushed detention officer into door frame	Type 1
January 2019	
Whilst drunk, threw punches at paramedic	Type 1
Punched a paramedic	Type 1
In mental health unit, pushed a member of staff	No outcome
Whilst receiving medical attention, has punched victim	Type 1
Assaulted an emergency worker in a hospital	No outcome
Threw empty pill container at nurse in mental health facility	Type 12
February 2019	
Spat & swore at an emergency worker	Type 18
Pushed & kicked a paramedic	Type 1
Pushed a paramedic & gripped neck tightly	Type 1
Outside public house, constable assaulted by punch to chest	Type 3
March 2019	
Spat at paramedic	Type 16
Mental health patient poked paramedic in chest several times	Type 16
Kicked, punched, slapped & spat at hospital staff member	No outcome
In hospital, has threatened to throw urine over victim	No outcome
In hospital, spat at victim	Type 1
Assaulted a paramedic by pushing	No outcome
Threw items causing paramedic to feel in fear of being assaulted	No outcome
Whilst in police cell kicked emergency worker	Type 1
April 2019	
Exempt – section 30 & 40	No outcome

- Type 1 - Charged/Summoned/Postal Requisition
- Type 3 - Caution Adult
- Type 8 - Community resolution (Crime)
- Type 10 - Formal Action Against Offender is not in the Public Interest (Police)
- Type 12 - Prosecution Prevented-Named Suspect Identified But Is Too Ill (Physical Or Mental Health) To Prosecute
- Type 15 - Named Suspect Identified: Victim Supports Police Action But Evidential Difficulties Prevent Further Action
- Type 16 - Named Suspect Identified: Evidential Difficulties Prevent Further Action: Victim Does Not Support (Or Has Withdrawn Support From) Police Action
- Type 18 - Investigation Complete; No Suspect Identified. Crime Investigated As Far As Reasonably Possible-Case Closed Pending Further Investigative Opportunities Becoming Available
- Type 20 - Further action resulting from the crime report will be undertaken by another body or agency subject to the victim (or person acting on their behalf) being made aware of the act to be taken

Court outcomes are not held by the Constabularies. This is held by the HM Courts & Tribunals Service or CPS.

With regard to the Suffolk incident in April 2019, this remains an ongoing enquiry. Additionally, as this is the only recorded crime for April, providing the details and ages of those involved, this increases identifying those involved. Sections 30 and 40 of the Freedom of Information Act have been engaged.

Section 17 of the Freedom of Information Act 2000 requires that the Constabularies, when refusing to provide such information (because the information is exempt) is to provide you, the applicant, with a notice which:

- (a) States that fact
- (b) Specifies the exemption(s) in question, and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemptions:-

- **Section 40(2) Personal Information**
- **Section 30(1) Investigations**

Section 30 is a qualified, class based exemption and I am therefore obliged to consider the public interest.

Section 40

Section 40 is an absolute; class based exemption and applies to third party personal data. This would not be released under the FOIA unless there is a strong public interest. This is because any release would breach the Principles contained within Article 5(1) of the GDPR and Part 2 of the Data Protection Act 2018.

One of the main differences between the Data Protection Act and the Freedom of Information Act is that any information released under FOI is released into the public domain, not just to the individual requesting the information. As such, any release that identifies an individual through releasing their personal data, even third party personal data, is exempted unless there is a strong public interest in its release. The public interest is not what interests the public but what benefits the community as a whole.

Personal data is defined under the Data Protection Act as data that is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life.

Principle (a) of Article 5(1) states that information must be processed fairly, lawfully and in a transparent manner. The information pertains to special category data owing to the fact it relates to information concerning investigations, which could identify a person's involvement with an offence. Lawfulness refers to occasions where disclosure would not breach statute or common law obligations.

In this case we consider the Human Rights Act 1998. Suspects and victims would not expect details to be processed in response to an FOI request, which may inadvertently identify their involvement with an offence. The provision of the requested details would significantly increase the likelihood of individuals being identified due to the level of information already provided in the response. The Constabularies therefore consider it would be in breach of their Human Rights Act by disclosing these details which may identify those involved and therefore disclosure would not be lawful.

With regards to the fairness aspect, the processing of information should be in a manner that individuals would reasonably expect, not in a way that could result in unjustified adverse effects on them. In this case, the individuals would have a reasonable expectation that information would not be processed if it resulted in their identification. The Constabularies have a duty to ensure data is processed in accordance with Data Protection Legislation. We feel in this occasion, it would not be fair to process this data outside of usual policing processes.

FOIA disclosures are to the world at large and will remain in the public domain indefinitely. Therefore, provision of this information would exceed the original Policing requirement for the processing of the information and would not be lawful or fair to the individuals in question.

It is for these reasons outlined above; that I feel the principle would be breached by this disclosure and the Section 40 exemption remains in place. I am not obliged to consider any further principle in my arguments.

This is an absolute, class-based exemption and, as such, there is no requirement to consider the public interest test.

Section 30

Factors favouring disclosure

Openness and transparency are fundamental aspects of the Freedom of Information Act. The release of the requested information would ensure that the public are in possession of accurate information and this would be a positive factor.

Disclosure would enhance public confidence that investigations are managed appropriately by the Constabularies. There is a significant public interest in the way in which the Constabularies carry out investigations as these are conducted using public funds.

Factors against disclosure

Information which relates to investigations will rarely be disclosed under the FOI Act. The section 30 exemption acknowledges that there is a public interest in recognising the importance for the proper conduct of investigative processes and procedures, carried out by public authorities.

Additionally, victims and witnesses may be less likely to provide information to the Police if they believe the details may be released as a result of a Freedom of Information Act request. This would be detrimental to the investigative process which heavily relies on information being received from members of the public.

Balance Test

It is recognised that there is a public interest in investigations carried out by the Constabularies. The Constabularies Press Office will make disclosures in a timely and ordered manner, to ensure any disclosures assist the Police in their enquiries. However, this does not necessarily mean that it

would be appropriate for the Constabularies to release information regarding investigations under the Freedom of Information Act.

It is essential that investigations can be conducted without them being compromised by the release of details, which may compromise the integrity of the investigative process.

It is also vital that the Constabularies continue to receive information from the public to assist with enquiries. The Constabularies would not want to jeopardise this process by losing the confidence of victims and witnesses who feel that their information may be released under the Act.

It is therefore my opinion that the balance lies in favour of non-disclosure of this information, at this time. This serves as a refusal notice under section 17(1) of the FOI Act for these parts of your request by virtue of the exemption at section 30(1).

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