



15th October 2020

Freedom of Information Request Reference N°: FOI 003216/20

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 23rd September 2020 in which you sought access to the following information:

- 1A Please provide the total number of times restraint techniques were used by officers in your force – i.e. the number of restraints reported by individual officers in use of force forms – for each of the past two years April 2018 to March 2019 and April 2019 to March 2020.
- B For each year, please provide totals for each ethnicity of the subject as perceived and provided by officers in use of force forms - i.e. the total number of white, black, Asian, or other subjects, as well as the total number not recorded/not known
- 2A Please provide the total number of Conducted Energy Device (CED, ie TASER) incidents recorded in your force over the past two years (Apr 2018 - Mar 2019 and April 2019 – Mar 2020)
- B For each year please provide the total number of incidents in which CEDs were discharged, along with the totals for each ethnicity of the subject as perceived and provided by officers in use of force forms - i.e. the total number of white, black, Asian, or other subjects, as well as the total number not recorded/not known
- C For each year please provide the total number of incidents in which CEDs were not discharged, along with the totals for each category of ethnicity of the subject as perceived and provided by officers in use of force forms - i.e. the total number of white, black, Asian, or other subjects, as well as the total number not recorded/not known
- 3A Please provide the total number times irritant spray was used in your force over the past two years (Apr 2018 - Mar 2019 and April 2019 – Mar 2020)
- B For each year please provide the total number of incidents recorded in which irritant spray was discharged, along with the totals for each ethnicity of the subject as perceived and provided by officers in use of force forms - i.e. the total number of white, black, Asian, or other subjects, as well as the total number not recorded/not known
- C For each year please provide the total number of incidents in which irritant spray was not discharged, along with the totals for each ethnicity of the subject as perceived and provided by officers in use of force forms - i.e. the total number of white, black, Asian, or other subjects, as well as the total number not recorded/not known
- 4A Please detail the number of times officers have attended incidents over the past two years (Apr 2018 - Mar 2019 and April 2019 – Mar 2020) where the subject has been suffering from a confirmed or suspected ABD (acute behavioural disturbance)

- B Please provide the number of times these incidents resulted in force such as restraint techniques, CED, irritant spray being, firearm or other force used
- C For each category – i.e. no force used, restraint, CED, irritant spray, firearm, other – please provide the totals for each ethnicity of the subject as perceived and provided by officers in use of force forms - i.e. the total number of white, black, Asian, or other subjects, as well as the total number not recorded/not known

Response to your Request

The response provided below is correct as of 2nd October 2020.

Norfolk and Suffolk Constabularies have considered your request and our response is below.

When responding to a request for information under the terms of the Freedom of Information Act (2000), a public authority is not obliged to provide information, if the authority estimates that the cost of the retrieval of the information requested, would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve *all* of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk and Suffolk Constabularies estimate that to retrieve all of the information you have requested would exceed cost in excess of £450 per force.

With regard to question 4, the term Acute Behavioural is not routinely recorded. Reference may be made to it within a freetext field but this would require a manual review to be carried out.

To carry out this review would significantly exceed 18 hours per Constabulary.

This would therefore exceed the appropriate limit for dealing with Freedom of Information requests, in terms of costs, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged to:

“...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit”.

The Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the ‘appropriate limit’ for Norfolk and Suffolk Constabularies as £450, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour, per force.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice and Assistance

Although excess cost removes the Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, we have supplied information, relative to your request, which was retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

The following figures have been extracted from 'Use of Force' forms. It should be noted that there can be more than one individual per deployment and therefore the figures for ethnicity breakdowns will be higher than the number of deployments.

Additionally, two or more officers can submit a form for one incident.

Q1 Restraint Techniques

Ethnicity	2018/19	2019/20
NORFOLK		
Total number of restraint incidents	4,829	5,475
White	4,342	4,904
Black	320	383
Asian	36	36
Other	35	39
Not recorded / not known	231	282
SUFFOLK		
Total number of restraint incidents	3,073	3,735
White	2,715	3,264
Black	213	343
Asian	39	39
Other	7	17
Not recorded / not known	139	151

Q2 Taser

Ethnicity	2018/19	2019/20
NORFOLK		
Total number of Taser incidents - DISCHARGED	40	54
White	35	49
Black	7	5
Asian	1	0
Other	0	0
Not recorded / not known	1	0
Total number of Taser incidents – NOT DISCHARGED	393	550
White	336	507
Black	63	51
Asian	3	3
Other	6	9
Not recorded / not known	29	31
SUFFOLK		
Total number of Taser incidents - DISCHARGED	11	29

White	10	26
Black	1	2
Asian	0	0
Other	0	0
Not recorded / not known	0	1
Total number of Taser incidents – NOT DISCHARGED	211	345
White	174	289
Black	23	49
Asian	8	5
Other	1	1
Not recorded / not known	14	25

Q3 Irritant Spray

Ethnicity	2018/19	2019/20
NORFOLK		
Total number of Irritant Spray incidents - DISCHARGED	255	255
White	235	231
Black	22	21
Asian	2	1
Other	0	0
Not recorded / not known	13	10
Total number of Irritant Spray incidents – NOT DISCHARGED	174	141
White	165	125
Black	9	14
Asian	1	5
Other	4	0
Not recorded / not known	11	4
SUFFOLK		
Total number of Irritant Spray incidents - DISCHARGED	133	145
White	124	129
Black	9	9
Asian	3	1
Other	0	2
Not recorded / not known	5	5
Total number of Irritant Spray incidents – NOT DISCHARGED	103	120
White	98	98
Black	9	18
Asian	0	1

Other	0	2
Not recorded / not known	4	5

Information regarding 'Use of Force' is published on the Constabulary websites, on a quarterly basis.

<https://www.norfolk.police.uk/about-us/our-policies/use-force>

<https://www.suffolk.police.uk/about-us/our-policies/use-force>

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