



Freedom of Information Request Reference N°: FOI 002868-20

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 24 August 2020 which you sought access to the following information:

"1) The total number of times Use of Force was used for the period January to March 2020. Please break this total number down by tactic and present the information in an Excel spreadsheet. Ideally this should look like:

January to March 2020

Tasers used: 5

Batons: 10

Dogs: 2

Total Use of Force: 12

Please note, there are of course many more tactics than this. The link I provided gives a full list, but you may have your own.

2) Please provide details of the ethnicity of the subjects that Use of Force tactics were used against. Using the preceding example table, this should look like:

January to March 2020

Tasers used: 5 Asian: 1 White: 4

Batons: 10 Black: 1 White: 9

Dogs: 2 White: 2

Please present this information in an Excel spreadsheet. Please use ethnicity codes, if you would like, but please provide me with a key for that. If you cannot, for operational or cost reasons, provide the ethnicity of subject for each tactic, please provide the ethnicity breakdown for the total number of tactics e.g.

January to March 2020

Total Use of Force: 12 Asian: 2 Black: 3 White: 7

3) Please repeat requests 1 and 2 for the time period April to June 2020. If you do not yet have data for this entire period, please provide it for the months you do have.”

Response to your Request

The response provided below is correct as of 24 August 2020

Suffolk and Norfolk Constabularies have considered your request for information and the response is below.

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

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

The information is exempt from disclosure by virtue of the following exemption(s);

Section 21(1) - Information reasonably accessible by other means

Section 22(1) – Information intended for future publication

Information concerning Suffolk and Norfolk Constabularies Use of Force data is published on the force websites and is therefore reasonably accessible by other means as per Section 21 of the Freedom of Information Act 2000.

The following links will take you to the 2019/20 Q4 data:

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

Section 22 is a qualified, class-based exemption and I am therefore required to produce a Public Interest Test.

Public Interest Test

(When applying a qualified exemption a public authority is required to consider whether 'in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information')

Considerations favouring disclosure

The information will demonstrate the Constabularies are actively monitoring the police use of force to ensure compliance with local and national use of force processes.

Provision of the information will ensure the public are informed and provides information to assist in research that could benefit the community as a whole, again enabling accurate public awareness and debate.

Considerations favouring non-disclosure

To supply information that is currently being prepared would result in the information being produced ahead of schedule. It is imperative that effective review can be undertaken of the national dataset to allow for the data to be assessed as a national publication prior to its disclosure.

Use of force data is published quarterly on both the Suffolk and Norfolk Constabulary websites. This report is produced internally each quarter and will be published on the relevant Use of Force webpages. The Section 22 exemption was specifically laid down by parliament to benefit those authorities that proactively publish information. To constantly produce new and up to date elements of the currently published information, in order to satisfy an additional need outside of the annual schedule, will render these exemptions less effective and remove the benefits of the proactive publication.

The Q4 2019/20 data has recently been published on the force websites, and we therefore consider that the Q1 2020/21 data will be published within the next few weeks.

Balancing Test

It is noted that Public Awareness and Debate are key to the FOIA, making Authorities more accountable and providing up to date relevant statistical information, improving knowledge and public understanding of the Force.

However, it has been confirmed that this information will be published in line with national guidelines. Application of the exemption at this time will allow for an accurate and concise ratification process. It would not be in the best interest of the public to expedite this process if to do so would impact the precision of the information. This is especially relevant at a time where policing resources also have to focus on the national coronavirus pandemic, which in itself reverts resources from usual business processes.

It would not therefore be practical for the Constabularies to produce information prior to the publication of the report and the Section 22 exemption is engaged.

Should you have any further queries concerning this request, please contact Clair Pack, 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 20 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
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.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 40 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