



NORFOLK
CONSTABULARY
Our Priority is You

Norfolk Constabulary

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Dear

Freedom of Information Request Reference N^o: FOI 002854/16

I write in connection with your request for information received by the Norfolk Constabulary on the 28th July 2016 in which you sought access to the following information:

Under the freedom of information act, I would like to request the following information:

- The organisational charts/structure of the departments in your force that deal with the various types of investigations
- The annual budget for these various divisions/units

Clarification received:-

The specific areas of information I'm looking for is to identify the type of named Forensic units Norfolk Constabulary have. I've provided a list below although I'm aware that Police Forces do have variations over and above the one's I've listed, hence asking for "Other".

As an organisation that works with Law Enforcement Agencies we are keen to understand how these units are structured and the number of employees, civilian and police in each as well as the operational budget for each unit.

- HTCUC – High Tech Crime Unit
- CTU – Counter Terrorism Unit
- CCU – Cyber Crime Unit
- MCU - Major Crime Unit
- CEU - Child Exploitation Unit
- OCU – Organised Crime Unit
- Other – please list

In addition we would be interested in identifying a list of contracts that are in place and potentially coming up for review in relation to digital forensics.

Norfolk Constabulary holds information relevant to your request.

Response to your Request

Norfolk Constabulary has located the following information as relevant to your request.

The Constabulary has identified a number of departments where criminal investigations are carried out. Please see attached structures for the following:-

- County Policing Command
- Custody Investigation Unit
- Protective Services

- Professional Standards
- Safeguarding and Investigations

Due to ongoing collaboration between Norfolk and Suffolk Constabularies, there are a number of departments which are joint, and therefore contain posts based in both Norfolk and Suffolk. The following budget information also details some information relating to Suffolk Constabulary. Please note these are total command/departamental budgets and will include costs that do not relate specifically to those officers and staff who carry out investigations.

County Policing Command Budget £59,470,363

Custody Investigation Unit:-

- Norfolk £3,472,682
- Suffolk £2,641,194

Joint Protective Services Command:-

- Norfolk £20,404,420
- Suffolk £15,518,870
- Norfolk only £1,681,320

Professional Standards Department:-

- Norfolk £965,820
- Suffolk £734,560

Safeguarding and Investigations Budget £15,901,430

Lower level department structure charts have not been provided due to exemptions within the Act. Providing structure charts, giving a more detailed breakdown of resources, would give an indication of the Constabulary's capabilities in specific areas of policing. The relevant exemptions are:-

- Section 31(1) Law Enforcement
- Section 24(1) National Security

Sections 24 and 31 are both prejudice based qualified exemptions and as such we are obliged to articulate the harm that would be caused by providing this information and apply a public interest test.

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 Constabulary's external website, the Constabulary has 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>

In order to counter criminal and terrorist behaviour, it is vital that the police have the ability to work together, where necessary covertly, to obtain intelligence within current legislative frameworks to assist in the investigative process, ensuring the successful arrest and prosecution of offenders, who commit or plan to commit acts of terrorism.

To achieve this goal, it is vitally important that information sharing takes place between police officers, members of the public and police forces, as well as other security law enforcement bodies within the UK. Such an action would support counter-terrorism measures in the fight to deprive terrorist networks of their ability to commit crime.

Although the staffing levels of some units have been provided, to reveal a more detailed level of staffing for specific units, for example counter terrorism, organised crime, etc, this would reveal resource capability. This would enable criminals and terrorists to build a mosaic picture of each force area around the country by providing the number of officers trained in these specialist areas of policing.

The impact of disclosing information under the FOIA, which aids identifying staffing resources of counter terrorist and organised crime units, would weaken the national infrastructure, thereby undermining national security and leaving the UK at risk of more terrorist attacks and jeopardising public safety.

Section 24 – factors favouring disclosure

The public are entitled to know how public funds and resources are managed. This information could provide reassurance that the Constabulary has sufficient resources in these areas of policing. The information would lead to a better informed public and therefore accurate public debate.

Section 24 – factors against disclosure

Disclosing this information would provide those involved in terrorist related activity with the number of officers and staff involved in specialist areas of policing. To what extent this information may aid a terrorist is unknown but it is clear that disclosure would impact on an individual forces tactical vulnerability.

The cumulative effect of terrorists gathering information from various sources would be detrimental. Disclosure of information would provide a more detailed account of the tactical infrastructure of not just the Norfolk Constabulary but the country as a whole.

Any incident that results from such a disclosure would by default affect National Security.

Other organisations outside the Police Service are also widely engaged in targeting terrorism, see below links:

<http://www.nationalcrimeagency.gov.uk/news/news-listings/362-nca-unveils-campaign-to-disrupt-the-use-of-airfields-and-light-aircraft-by-organised-criminals>

<http://www.nationalcrimeagency.gov.uk/publications/560-national-strategic-assessment-of-serious-and-organised-crime-2015/file>

<https://www.gov.uk/government/policies/counter-terrorism>

<https://www.mi5.gov.uk/terrorism>

Disclosing the requested information would harm the close relationship that exists with such organisation, where trust and confidence has been built up.

The public entrust the Police Service to make appropriate decisions with regard to their safety and protection. Releasing this information would result in less public confidence and the public would be less likely to come forward with information.

Section 31- factors favouring disclosure

Disclosing the number of officers and staff would provide the public with the knowledge that the Constabulary is allocating sufficient resources to these specialist areas of policing. Disclosing the details would lead to more accurate public debate and increase public confidence.

Section 31 – factors against disclosure

The current or future law enforcement role of the force may be compromised by the release of information ie where the prevention and detection of crime, the apprehension and prosecution of offenders or the administration of justice may be hindered as a result of the release of information. Disclosure of this information may unwittingly provide intelligence to criminals and/or terrorists that may ultimately reduce the forces ability to police effectively.

The Police Service and other law enforcement agencies work together to ensure effective delivery of operational law enforcement. The disclosure of staffing levels, along with the financial information, would assist those intent on committing criminal offences to gain an insight into the forces capabilities in these areas.

Resource information can give an advantage to someone looking to exploit any potential weaknesses in a forces tactical planning. Any increased activity as a result of a perceived weakness, will mean the diversion of other resources to that area with a subsequent reduction in the capability of the force. Public safety is of paramount importance and the disclosure of the requested information would thereby place public safety at risk.

Balance Test

The points above highlight the merits for disclosing and withholding the requested information. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, specialist units are developed to target precise areas of policing.

Whilst there is a public interest in the transparency of policing, and how public funds are allocated, there is a very strong public interest in safeguarding the intricacies and tactical capabilities surrounding organised crime and terrorism.

Furthermore, we also need to take into account the victims of crime. Public safety is of paramount importance and any information which would place individuals at risk and compromise National Security, no matter how generic, is not in the public interest. The effective delivery of operational law enforcement and the National Security of the United Kingdom is crucial and of utmost importance to Norfolk Constabulary.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for disclosure of the information is not made out.

In accordance with the Freedom of Information Act this letter acts as a refusal notice for this part of your request.

Partial Neither Confirm Nor Deny

In addition, Norfolk Constabulary can neither confirm nor deny that it holds any other information with regard to an exempt body as the duty in section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemption:

- Section 23(5) Information supplied by, or concerning, certain Security Bodies

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case.

Confirming or denying the existence of whether any other information is held would contravene the constrictions laid out within Section 23 of the Freedom of Information Act 2000 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

With regard to contract information, this is available via the Bluelight Procurement Database website via the link provided below:-

<https://www.blpd.gov.uk/foi/foi.aspx>

Under Section 21(1) of the Freedom of Information Act (2000), public authorities are not required to provide information that is reasonably accessible to the public by other means, in this case via the BLPD website; therefore in accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for this part of your request.