



March 2017

**Freedom of Information Request Reference N<sup>o</sup>: FOI 002559/17**

I write in connection with your request for information received by the Norfolk Constabulary on the 3<sup>rd</sup> February 2017 in which you sought access to the following information:

Please disclose the number of arrests or charges which have been associated with nationals from the following seven countries in recent years, to the maximum extent possible within the statutory cost/time limits for dealing with Freedom of Information requests. (If you can only provide partial information that will be acceptable; please do not force me to submit an amended request a month from now.)

- Iraq
- Syria
- Iran
- Libya
- Somalia
- Sudan
- Yemen

I know that it is possible for this sort of information to be disclosed under the Freedom of Information Act -- please see here: <https://www.thesun.co.uk/news/1528756/hundreds-of-syrians-in-uk-arrested-over-string-of-offences-including-rape-and-child-abuse/>

Therefore, I would ask that you please interpret my request broadly, so it can be fulfilled as far as is reasonably possible. Please do not interpret my specific wording in a very narrow and legalistic way in order to avoid fulfilling the request, as forcing me to pursue the matter with an internal review and the Information Commissioner will only consume time and resources unnecessarily.

Norfolk Constabulary holds information relevant to your request.

**Response to your Request**

Norfolk Constabulary has located the following information as relevant to your request. Information has been retrieved from the custody database from 2007 onwards.

Nationality	Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Iran	7	13	21	10	17	10	10	12	21	18
Iraq	24	14	36	30	27	24	20	24	31	25
Libya	0	1	4	5	3	1	3	3	6	1
Somalia	0	0	2	0	3	0	4	17	0	5

Sudan	1	1	0	3	1	1	1	5	4	0
Syria	0	0	0	0	0	0	0	0	0	1
Yemen (Dem. Peoples Republic)	0	0	0	0	0	0	0	0	0	1

2007	
Nationality	Offence
Iran	Assault ABH
Iran	Other – working in breach of landing conditions
Iran	Other – Immigration Offence x 3
Iran	Criminal Damage
Iran	Sexual Offences
Iraq	Assault ABH x 3
Iraq	Affray x 2
Iraq	Sexual Offence x 2
Iraq	Burglary
Iraq	Other - Immigration Offence x 3
Iraq	Assault GBH with Intent x 6
Iraq	Other - Failure to stop for Police
Iraq	Section 25 PACE – gave false details in relation to motoring offences
Iraq	Drunk & Disorderly
Iraq	Warrant – Failed to Appear
Iraq	Robbery
Iraq	Other - Fail to Stop / Fail to Report RTC
Iraq	Positive Breath Test
Sudan	Other - Immigration Offence

2008	
Nationality	Offence
Iran	Common Assault
Iran	Other – Immigration Offences x 7
Iran	Breach of the Peace
Iran	Sexual Offence
Iran	Assault ABH x 2
Iran	Other - Breach of landing conditions
Iraq	Drug Offences
Iraq	Common Assault x 3
Iraq	Other – Immigration Offences x 5
Iraq	Sexual Offence
Iraq	Drunk & Disorderly
Iraq	Possession of Offensive Weapon
Iraq	Disqualified Driving
Iraq	Positive Breath Test

Libya	Other - Breach of Landing Conditions-Overstayer
Sudan	Drug Offences

2009	
Nationality	Offence
Iran	Sexual Offence
Iran	Immigration Offences x 12
Iran	Affray
Iran	Assault ABH
Iran	Drug Offences
Iran	Common Assault
Iran	Other - Threats to commit criminal damage, Threats to Kill
Iran	Warrant – Non-Payment
Iran	Drunk & Disorderly
Iran	Unfit through drugs
Iraq	Deception x 2
Iraq	Common Assault x 5
Iraq	Criminal Damage x 2
Iraq	Immigration Offence x 4
Iraq	Robbery x 2
Iraq	Drunk & Disorderly
Iraq	Theft
Iraq	Warrant – Failed to Appear
Iraq	Affray x 6
Iraq	Sexual Offence
Iraq	Assault ABH x 3
Iraq	Positive Breath Test
Iraq	Fraud x 2
Iraq	Assault GBH x 2
Iraq	Other - Witness Intimidation
Iraq	Other – Customs & Excise Offences
Libya	Common Assault
Libya	Immigration Offences x 3
Somalia	Drug offences
Somalia	Other – Immigration Offences

2010	
Nationality	Offence
Iran	Assault ABH x 2
Iran	Sexual Offence x 2
Iran	Breach of Bail
Iran	Drug Offences
Iran	Assault GBH

Iran	Theft
Iran	Drunk & Disorderly
Iran	Immigration Offence
Iraq	Burglary
Iraq	Assault ABH x 5
Iraq	Other – Threats to Kill
Iraq	Drug Offences x 3
Iraq	Affray x 4
Iraq	Drunk & Disorderly
Iraq	Disqualified Driving
Iraq	Sexual Offence x 2
Iraq	Immigration Offence x 3
Iraq	Harassment
Iraq	Common Assault x 2
Iraq	Criminal Damage x 2
Iraq	Other – Fail to stop for injury RTC
Iraq	Handling
Iraq	Other – Driving otherwise in accordance with a licence
Iraq	Other - Possession of an Offensive Weapon
Libya	Other – Perverting the Course of Justice
Libya	Breach of Non-Molestation Order
Libya	Disqualified Driving
Libya	Common Assault
Libya	Theft
Sudan	Offensive Weapon
Sudan	Other – Immigration Offence x 2

2011	
Nationality	Offence
Iran	Immigration Offence x 3
Iran	Sexual Offence x 2
Iran	Fraud
Iran	Theft
Iran	Criminal Damage x 3
Iran	Racially Aggravated Offence
Iran	Other - Motoring Offences
Iran	Common Assault
Iran	Assault – GBH x 2
Iran	Robbery x 2
Iraq	Theft from Shops
Iraq	Sexual Offence x 3
Iraq	Assault ABH x 4
Iraq	Assault GBH with Intent

Iraq	Common Assault x 4
Iraq	Assault GBH
Iraq	Threats to Kill x 4
Iraq	Robbery
Iraq	Witness Intimidation
Iraq	Warrant – Failed to Appear
Iraq	Criminal Damage x 2
Iraq	Handling
Iraq	Affray
Iraq	Disqualified Driving
Iraq	Theft
Libya	Breach of Non-Molestation Order
Libya	Drunk & Disorderly x 2
Somalia	Theft
Somalia	Motoring offences
Somalia	Theft from Shops
Sudan	Immigration Offence

2012	
Nationality	Offence
Iran	Immigration Offence x 6
Iran	Assault GBH with Intent
Iran	Common Assault
Iran	Warrant – Failed to Appear
Iran	Assault ABH
Iraq	Harassment x 3
Iraq	Threats to Kill x 2
Iraq	Assault GBH with Intent
Iraq	Criminal Damage
Iraq	Common Assault x 3
Iraq	Violent Disorder x 2
Iraq	Assault ABH
Iraq	Affray
Iraq	Immigration Offence
Iraq	Positive Breath Test x 2
Iraq	S.4 Public Order Act 1986
Iraq	Fraud
Iraq	Drug Offence
Iraq	Theft
Iraq	S.5 Public Order Act 1986
Iraq	Disqualified Driving
Iraq	Possession of Offensive Weapon
Libya	Drunk & Disorderly

Sudan	Criminal Damage
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2013	
Nationality	Offence
Iran	Sexual Offence x 3
Iran	Immigration Offence x 5
Iran	Fraud
Iran	Affray
Iraq	Affray
Iraq	Other - Breach of section 27 notice
Iraq	Money Laundering
Iraq	Handling
Iraq	S.5 Public Order Act 1986
Iraq	Common Assault x 4
Iraq	Criminal Damage
Iraq	Assault GBH with Intent
Iraq	Positive Breath Test
Iraq	Sexual Offence x 2
Iraq	Assault ABH x 3
Iraq	Other – Prison Recall
Iraq	Breach of Bail
Iraq	Common Assault
Iraq	Harassment
Libya	Immigration Offence x 2
Somalia	S.5 Public Order Act 1986
Somalia	Affray
Somalia	Common Assault
Somalia	Theft
Sudan	Immigration Offence

2014	
Nationality	Offence
Iran	S.4 Public Order Act 1986
Iran	Sexual Offence
Iran	Assault ABH x 2
Iran	Affray x 2
Iran	Other - Offence under section 136 of the licencing act.
Iran	Drug Offences
Iran	Common Assault x 3
Iran	Other – obstruct a Constable & motoring offences
Iraq	Affray x 3
Iraq	Other – motoring offence
Iraq	Assault ABH x 3

Iraq	Common Assault
Iraq	Fraud
Iraq	Harassment x 2
Iraq	Sexual Offence x 3
Iraq	Theft
Iraq	Burglary
Iraq	Breach of Sexual Offender Notification
Iraq	Threats to Kill x 2
Iraq	Other - Sec 7 Trading standards act
Iraq	Other - S92 Trade Marks Act 1994 - fraudulent use of a registered trademark.
Iraq	Other - Fraud via sale of goods - against trademarks act 1994
Iraq	Attempted Murder x 2
Libya	Other
Libya	Common Assault
Libya	Aggravated Burglary
Somalia	Burglary
Somalia	Money Laundering
Somalia	Drug Offences x 5
Somalia	Robbery
Somalia	Immigration Offence x 2
Somalia	Common Assault
Somalia	Affray x 2
Somalia	Breach of Bail x 2
Somalia	Assault ABH
Somalia	Criminal Damage
Sudan	S.4 Public Order Act 1986
Sudan	Immigration Offence x 4

2015	
Nationality	Offence
Iran	Theft from Shops x 3
Iran	Breach of Bail
Iran	Threats to Kill
Iran	Assault Police
Iran	Common Assault x 2
Iran	Assault GBH
Iran	Immigration Offences x 5
Iran	Drunk & Disorderly
Iran	Drug Offences
Iran	Assault ABH x 2
Iran	Taking a Motor Vehicle Without Consent
Iran	Sexual Offence x 2
Iraq	Theft x 2

Iraq	Harassment
Iraq	Witness Intimidation
Iraq	Assault GBH with Intent x 3
Iraq	Prison Recall
Iraq	Common Assault x 2
Iraq	Drug Offences
Iraq	Affray
Iraq	Handling
Iraq	Assault ABH x 2
Iraq	S.4 Public Order Act 1986
Iraq	Other – Child Abduction
Iraq	Other – Section 50 Police Reform Act
Iraq	Immigration Offences x 9
Iraq	Sexual Offence
Iraq	Positive Breath Test
Iraq	Breach of Bail
Iraq	Criminal Damage
Libya	Immigration Offence x 3
Libya	Sexual Offence
Libya	Common Assault
Libya	Other – Breach of section 35
Sudan	Immigration Offences x 3
Sudan	Drug Offences

2016	
Nationality	Offence
Iran	Immigration Offences x 10
Iran	Common Assault x 2
Iran	Criminal Damage
Iran	Assault ABH x 3
Iran	Drunk & Disorderly
Iran	Possession of Knife/Bladed Article
Iraq	Immigration Offences x 8
Iraq	Prison – Production Order
Iraq	Common Assault x 3
Iraq	Abduction
Iraq	Harassment
Iraq	Fraud x 2
Iraq	Other – Not Listed x 2
Iraq	Drunk & Disorderly
Iraq	Assault ABH x 3
Iraq	Breach of Bail
Iraq	Slavery, servitude and forced or compulsory labour x 2



Libya	Fraud
Somalia	Drug Offences x 3
Somalia	Assault ABH x 2
Syria	Possession of Firearms Offences
Yemen (Dem. Peoples Republic)	Assault GBH

### Partial Neither Confirm Nor Deny

Additionally, Norfolk Constabulary will neither confirm nor deny whether it holds any other information, relevant to this request, 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 23(5) – Information supplied by, or concerning, certain Security Bodies
- Section 24(2) – National Security
- Section 30(3) - Investigations
- Section 31(3) – Law Enforcement

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case. Confirming or denying whether any 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 supplied by, or concerning, certain Security Bodies.

Sections 30 is a qualified class based exemption and requires a public interest test to be articulated.

Sections 24 and 31 are prejudice based qualified exemptions and there is a requirement to evidence the prejudice (harm) in disclosure and consider the public interest to ensure neither confirming or denying whether any information is held is appropriate.

### 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 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>

To confirm or deny whether any other relevant information is held would undermine individual forces policing capabilities which consequently would be detrimental to their ability to deal with the on-going terrorist threat we face. In addition, the disclosure of information could suggest the level of resourcing a force has.

## Public Interest Test

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

Confirming or denying whether any other information is held would enhance public debate about the effectiveness of Norfolk Constabulary, 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 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 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 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.

### Section 30 - factors favouring confirmation or denial of whether information is held

There is a public interest in the transparency of policing operations and providing assurance that Norfolk Constabulary is appropriately and effectively dealing with crime. Confirming or denying whether any other information is held would allow the public to make informed decisions about these matters.

### Section 30 – factors against confirmation or denial of whether information is held

Whilst there is a public interest in the transparency of policing operations and providing assurance that Norfolk Constabulary is appropriately and effectively dealing with crime, there is a strong public interest in safeguarding the integrity of police investigations and operations and in maintaining confidence in the Police Service. Confirmation or denial that any information is held, relevant to your request, would undermine any investigative process and compromise the integrity of any operations.

## Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security of the country is of paramount importance and Norfolk Constabulary will not divulge whether information is or is not held if to do so would place the safety of an individual at risk, compromise law enforcement or undermine National Security.

Whilst there is a public interest in the transparency of policing operations and providing assurance that the Constabulary is appropriately and effectively engaging with the threat from terrorists and criminals, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in this highly sensitive area.

As much as there is a public interest in knowing that policing activity is appropriate and balanced, in matters of national security, this will be overridden in exceptional circumstances. Police force's capabilities of combating terrorism are sensitive issues of intelligence value to the terrorist and therefore it is our opinion that for these reasons the balancing test for confirming or not whether any other information is held, is not made out.