

## FREEDOM OF INFORMATION REQUEST

**REQUEST NUMBER:**     **FOI Request 002928-16**

**REQUEST DETAILS:**

*“Please can you send us, by email, any information you hold on how many times the Suffolk Police Force used ‘spit hoods’ - tightly meshed bags placed over detainees’ heads - in the last five years, specifying the age and gender of the subject upon whom the hood was used in each case, and with the information broken down into separate years (2011, 2012, 2013, 2014, 2015 and 2016 so far).”*

**RESPONSE:**

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

*This response is correct as of 2 August 2016*

In relation to your request for information and in accordance with Section 17 of the Freedom of Information Act 2000 (FOIA), this response serves as a formal notification of refusal for your request. The Constabularies do not hold, for the purposes of FOIA, all of the information you require in a retrievable format.

It is estimated that to attempt to retrieve all of the information you require would take a considerable amount of retrieval time, exceeding 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 2000 applies.

It is considered that to provide an answer to your request will take in excess of 36 hours to provide the information.

Any occasions where a spit hood is used is now recorded within the Use of Force forms; however this wasn't added to the form until the 2013 calendar year.

The only way to ascertain the number of occasions such hoods/guards were used would be to manually review all custody records to establish whether there is any mention to their use.

Considering the many thousands of custody records recorded for any one year, it would take well in excess of 36 hours to extract the detail requested.

In addition, The Constabularies are unable to determine the outcome for the individual upon whom a spit mask was used. The Constabularies do not have

a record in all cases, of the relevant custody number associated with said individual, to allow for easy data retrieval, so additional research would be required and the request is already over the allocated 36 hour retrieval time.

Section 12(1) of the Freedom of Information Act 2000 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, defines the 'appropriate limit' for the Constabularies as £450 and specifies that this sum equates to 18 hours work per force at a standard rate of £25 per hour. This equates to 36 hours of work, or £900, for joint responses.

In accordance with Section 17(5) of the Freedom of Information Act 2000, this letter serves as a refusal notice for this part of your request.

By requesting *all* information your request is too broad to be complied with within the limit imposed on Freedom of Information requests.

Although excess cost removes the Force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, 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.

Suffolk and Norfolk's Personal Safety Training department has completed a search of the systems for all occasions a spit guard was used for the 2014 – 2016 calendar year.

Please note that spit guards were removed from circulation for a short period in 2014/2015 and this will account for the lower figure.

## **Suffolk**

### 2016

Total uses – 11

#### Ethnicity

- White British - 10
- Black African - 1

#### Gender

- Males - 9
- Females - 2

#### Age Range

- 18-25 - 6

- 26-35 - 5

## 2015

Total uses - 4

### Ethnicity

- White British - 2
- Unknown - 2

### Gender

- Males - 2
- Females - 2

### Age Range

- 18-25 - 0
- 26-35 - 2
- Unknown - 2

## 2014

Total uses - 25

Unable to provide further split by ethnicity/age or gender

## Norfolk

Norfolk Constabulary introduced the use of spit guards during 2014.

## 2016

Total uses - 33

### Ethnicity

- White British - 29
- Black African - 2
- Arabic - 1
- Unknown - 1

### Gender

- Males - 27
- Females - 6

### Age Range

- Under 18 - 1
- 18-25 - 10
- 26-35 - 9

- 36-45 - 4
- 46-55 - 2
- Unknown - 7

## 2015

Total uses - 39

### Ethnicity

- White British - 35
- Black African - 2
- Unknown - 2

### Gender

- Males - 31
- Females - 8

### Age Range

- 18-25 - 15
- 26-35 - 12
- 36-45 - 5
- 46-55 - 2
- 56-65 - 1
- Unknown - 4

## 2014

Total uses - 17

### Ethnicity

- White British - 15
- Black African - 1
- Unknown - 1

### Gender

- Males - 14
- Females - 3

### Age Range

- 18-25 - 3
- 26-35 - 4
- 36-45 - 5
- 46-50 - 1
- Unknown - 4