



December 2017

Freedom of Information Request Reference N^o: FOI 007461/17

I write in connection with your request for information received by Norfolk Constabulary on the 29th November 2017 in which you sought access to the following information:

Between November 2012 and November 2017, how many people have you arrested for drug use or drug dealing in Cromer:

Between November 2012 and November 2017, how many people have you arrested for drug use or drug dealing in Fearn's Field Cromer

Please give details of the following broken down by years:

- Number of arrests for possession of a legal high or NPS possession with intent to supply and supplying. If it is possible can you give the age of the individuals arrested?
- Number of any of the above arrested in Fearn's Field
- Number and location of those arrested in other parts of Cromer

Response to your Request

The response provided below is correct as of 12th December 2017.

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

Research has been undertaken of the custody database in relation to arrests for the possession of drugs or the supply of drugs, where the arrest was made in Cromer.

It is not possible to identify arrests that have taken place elsewhere but relate to drugs in Cromer.

Offence	2012	2013	2014	2015	2016	2017	Total
Cannabis Production	0	0	1	0	0	0	1
Class B	0	0	1	0	0	0	1
Concerned in the Supply of Controlled Drugs	0	0	1	0	0	0	1
Concerned in the Supply, Production of Cannabis	0	0	1	0	0	0	1
Herbal Cannabis	0	0	1	0	0	0	1
Offering to Supply Class A Drugs	0	0	1	0	0	0	1
Possession of Class A Drugs and PWITS Class A Drugs	0	0	0	1	0	0	1
Possession of a Control Drug & PWITS	0	1	0	0	0	0	1
Possession of Cannabis	2	2	2	2	0	0	8
Possession of Cannabis and PWITS	0	1	0	0	0	0	1
Possession with Intent to Supply	0	2	1	0	0	0	3

Possession	0	0	0	1	0	0	1
Possession Herbal Cannabis	0	0	1	0	0	0	1
Possession of a Class A Drug Not Identified As Yet	0	0	0	1	0	0	1
Possession of Class A	0	0	2	0	0	0	2
Possession of Controlled Drugs	0	1	0	0	0	0	1
Possession of Ketamine	0	2	0	0	0	0	2
Production of Controlled Drugs, Concerned in the Supply	0	0	1	0	0	0	1
PWITS Cannabis	1	0	0	0	0	0	1
PWITS Class B Cannabis	0	1	0	0	0	0	1
Drugs – Possess Class A	0	0	0	1	0	0	1
Drugs – Possess Class B or C	0	0	0	4	2	3	9
Drugs – Possession With Intent to Supply – Other than Class A	0	0	0	0	0	1	1
Total	3	10	13	10	2	4	42

Age breakdown:-

Age	Number
16	4
17	2
19	3
20	3
21	4
22	1
23	2
24	1
25	3
27	1
28	4
29	4
30	1
32	1
34	1
36	1
37	2
43	1
46	1
50	1
53	1
Total	42

The arrest locations have not been provided due to exemptions within the Act. The specific exemption is:-

- Section 40 – Personal Information

Section 40(2) – Whilst Section 40 is a class based absolute exemption and there is no requirement to consider the harm or public interest test there is a requirement under sub-section 40(2), if the information requested relates to third parties, to articulate why disclosure would breach the Data Protection Act principles. The exemption at section 40(2) is relevant is the release of the personal information would be a breach of any of the 8 principles of the Data Protection Act 1998.

Personal Data means data that relates to a living individual who can be identified from that data or from that data and other data that is in the possession of or likely to come into the possession of the data controller.

Principle 1 of the Data Protection Act states that Personal Data shall be processed fairly and lawfully.

The latest advice from the Information Commissioner, when applying the exemption at section 40(2), is to firstly consider fairness. Fairness relates to consideration of expectation and consequences in relation to the use of a person's personal data.

It is reasonable to assume that when a member of the public has contact with the Constabulary they would expect their details to be kept confidential and in accordance with the Data Protection Act and that information would not be made publicly available by releasing details via the Freedom of Information process. Once released, this information is published on the Norfolk Constabulary website and is therefore available to any internet user.

In this particular instance, were we to disclose details of the arrest locations, many of which will be private residences, this could lead to the identification of the individual arrested. As this is a relatively small area, providing even the road names, it is highly likely that the arrested person would be identified.

There would be an expectation that this information would be kept confidential and that the Constabulary would not increase the likelihood of identifying an individual by releasing the details under the Freedom of Information Act.

Releasing these details would not be fair and would be a breach of Principle 1.

This response serves as a refusal notice under Section 17(1) of the Freedom of Information Act by virtue of the application of the exemption 40(2) of the Act for these parts of your request.