

6 September 2024

FOI Ref 16977

Request - You asked us the following:

1. how many foreign nationals have been arrested per month during the past 12-months that you are required to send reports to the HOIE and NCCU on a monthly basis.
2. what type of offences have been committed by the foreign nationals who have been arrested each month during the past 12-months that you are required to inform the HOIE and NCCU on a monthly basis.
3. how many asylum seekers/refugees have been arrested each month during the past 12-months.
4. what type of offences have been committed by asylum seekers/refugees that have been arrested each month during the past 12-months.

We received your request on 21/06/2024 and have processed this under the Freedom of Information Act (FOIA).

Please find below our response.

Staffordshire Police holds the following requested information.

1. how many foreign nationals have been arrested per month during the past 12-months that you are required to send reports to the HOIE and NCCU on a monthly basis. – **Information held.**
2. what type of offences have been committed by the foreign nationals who have been arrested each month during the past 12-months that you are required to inform the HOIE and NCCU on a monthly basis. – **Information held.**
3. how many asylum seekers/refugees have been arrested each month during the past 12-months. – **Information held.**
4. what type of offences have been committed by asylum seekers/refugees that have been arrested each month during the past 12-months. – **Information held.**

Staffordshire Police discloses/withholds the following information.

1. how many foreign nationals have been arrested per month during the past 12-months that you are required to send reports to the HOIE and NCCU on a monthly basis. – **Withheld**
2. what type of offences have been committed by the foreign nationals who have been arrested each month during the past 12-months that you are required to inform the HOIE and NCCU on a monthly basis. – **Withheld.**



3. how many asylum seekers/refugees have been arrested each month during the past 12-months. – **Partially disclosed, please see accompanying file titled 'FOI 16977 Arrest of Foreign Nationals Data.CSV'.**
4. what type of offences have been committed by asylum seekers/refugees that have been arrested each month during the past 12-months. – **Partially disclosed, please see accompanying file titled 'FOI 16977 Arrest of Foreign Nationals Data.CSV'.**

Please note that the data presented has been retrieved from a search of our crime/occurrence recording system between 21/06/2023 and 20/06/2024 for arrest records whereby the detainee's nationality has not been recorded as 'UK', 'England', 'Scotland', 'Wales' or 'Northern Ireland', with a flag for asylum seekers/refugees. Additionally, records have been omitted where there has been no detainee nationality recorded or where this has been recorded as unknown.

Please note that this data has been provided to the best of our ability, subject to the limitation of current recording protocols and systems/software. Additional offences may have been recorded during these timescales but are awaiting finalisation and input onto these systems and would not be present within this dataset.

Every effort is made to ensure that the data presented is accurate and complete. However, it is important to note that this has been extracted from multiple sources, developed for specific policing purposes, for which data extraction methods have not been specifically designed to directly correlate with the terminology of this request. Therefore, the data presented is subject to the inaccuracies and idiosyncrasies inherent in any large-scale recording system.

As a consequence, care should be taken in the interpretation and presentation of this data, so as to not misrepresent the whole or any part of the data disclosed.

The above information has been withheld for the following reasons:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The information can already be found within the public domain.

Several arrests within the dataset relate to current and ongoing investigations at this time and have been withheld. Disclosure of further details relating to these arrests would prejudice police activities both for ongoing and future investigations, and would be likely to cause significant harm to the law enforcement function of Staffordshire Police and the administration of justice

The following exemptions have been applied:

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

Section 21 is an absolute, class-based exemption and as such there is no requirement to quantify the harm that may arise from the disclosure, nor is there a requirement to perform a Public Interest Test.

- Section 30(1)(a)(b) – Criminal Investigations

Section 30 is qualified and prejudice-based and, as such, we are required to evidence the harm in disclosure and apply the public interest test.

Public Interest Test

Factors favouring disclosure under Section 30(1)(a)(b)

Disclosure of the information would improve the public's knowledge and understanding of the investigatory process and, as all police investigations are publicly funded, would show how public funds are being spent.

Factors favouring non-disclosure under Section 30(1)(a)(b)

Disclosure of the requested information would prejudice how investigations are carried out in the future. Staffordshire Police is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Any release of information relating to ongoing investigations could prejudice and undermine those investigations. The prevention and detection of such matters could therefore be hindered and therefore risk interference with evidence, which could have detrimental impact on future investigations. In addition, the right to a fair trial could be undermined.

Balance test

Disclosure under the Freedom of Information Act is a release of information to the world in general and not an individual applicant. Having considered the public interest factors we are required to determine whether on balance the factors favouring disclosure outweigh those which are against disclosure. It is our view that the factors favouring disclosure do not outweigh those which favour non-disclosure.

Advice and assistance

In order to comply with our obligations under Section 16 of the Act, the obligation to provide advice and assistance, please find below links to the information requested.

- <https://www.staffordshire.police.uk/SysSiteAssets/foi-media/staffordshire/2024-published-foi-requests/july/foi-16968-arrests-of-foreign-nationals.pdf>
- <https://www.staffordshire.police.uk/SysSiteAssets/foi-media/staffordshire/2024-published-foi-requests/july/foi-16968-arrests-of-foreign-nationals-data.pdf>

Next steps

You can ask us to review our response.



STAFFORDSHIRE
POLICE

If you would like us to carry out a review of our response, please let us know within two months of the date of receipt of this email, review requests should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information
Central Disclosure Unit