



Our Ref: 000946/21

Your Ref:

Address Correspondence to: Information Management

Date 15 April 2021

Freedom of Information Act 2000

I write further to your request for information received 19/03/2021.

I note you seek access to the following information:

Police forces have previously given information on the number of foreign nationals they have arrested and the offences they have been arrested for, for example here: <https://www.thesun.co.uk/news/1528756/hundreds-of-syrians-in-uk-arrested-over-string-of-offences-including-rape-and-child-abuse/>

They and ACRO have also provided information on the number of arrested foreign nationals found to have overseas convictions: <https://www.thesun.co.uk/news/1528756/hundreds-of-syrians-in-uk-arrested-over-string-of-offences-including-rape-and-child-abuse/>

Could you please provide, for the latest year for which figures are available, the following information:

1. How many foreign national nationals has your force arrested, by nationality, and, where available, type of crime?

2a. How many requests have you made for information on overseas convictions have you made for arrested foreign nationals?*

2b. How many arrested foreign nationals have been found to have overseas convictions, by nationality and, where available, type of crime?

**If you do not make overseas conviction requests for some foreign nationals, background information explaining why would be appreciated.*

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Q1 – The arrest data is in the spreadsheet attached to the Email.

Q2 – To provide the information requested and in the format would invoke a Section 12 exemption.

I can confirm, pursuant to s1(1)(a) of FOIA that this Force does hold the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer Question 2 as requested.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with some of the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

It is a mandatory legislative (not optional) requirement under S144 and Schedule 17 of the Coroners and Justice Act 2009 for the police to apply for previous convictions held in other countries for offenders being dealt with in the UK.

This is therefore not a Leicestershire Policy it is a National requirement

In the year 2020- 2020 Leicestershire Police applied for convictions from overseas on 3820 occasions.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force’s full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Freedom of Information Officer
Leicestershire Police

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