



Our Ref: 0545.2020-21
Date: 17 November 2020

Civil Disclosure
Joint Corporate Legal Services

Dear Applicant,

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 0545.2020-21

I write in connection with your request for information which was received by North Yorkshire Police on 17 October 2020. I note you seek access to the following information:

- 1. Please confirm the number of searches of persons reasonably suspected by police officers of being a terrorist (Section 43 Terrorism Act 2000) conducted in each of the last five years and,*
- 2. Please confirm the percentage of searches that result in the searching-officer/s finding evidence that the detained person is a terrorist (within the statutory definition).*

Extent and Result of Searches to Locate Information

To locate the information relevant to your request searches were conducted within North Yorkshire Police.

I can confirm that the information you have requested is held by North Yorkshire Police.

Decision

The information you have requested in relation to question 1 is published on the Government website under the following link. Previous years information can also be accessed here.

www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2019

I have therefore decided to exempt providing you with a response to question 1 pursuant to Section 21 Freedom of Information Act 2000 (the Act).

In relation to question 2 North Yorkshire Police do not hold information in percentages of searches that result in the searching-officer/s finding evidence that the detained person is a terrorist.

Jane Wintermeyer BSc (Hons) Force Solicitor & Head of Legal Services
Police Headquarters | Alverton Court | Crosby Road | Northallerton | North Yorkshire | DL6 1BF
DX No 68810 NORTHALLERTON 2 | Telephone 01609 643542 | Fax 01609 789987

Non-emergency
Number



Section 17 of the Act requires North Yorkshire 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.

Section 21 – Information Reasonably Accessible by Other Means

Section 21 is an absolute class based exemption and I am not required to consider the harm or public interest when applying this exemption.

Pursuant to Section 17(1) of the Act this letter acts as a Refusal Notice in response to your request.

Please note that systems used for recording information are not generic, nor are the procedures used locally in capturing the data. It should be noted therefore that this force's response to your questions should not be used for comparison purposes with any other responses you may receive.

Complaint Rights

Your attention is drawn to the attached sheet which details your right of complaint.

If you have any queries concerning this request, please contact me quoting the reference number above.

Yours sincerely

Name

Sam Allon Legal Officer (Civil Disclosure)

Joint Corporate Legal Services

COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to request that North Yorkshire Police review their decision.

Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision North Yorkshire Police made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with North Yorkshire Police to have the decision reviewed. North Yorkshire Police must be notified of your intention to complain within 2 months of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Force Solicitor and Head of Legal Services
North Yorkshire Police
Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1BF

In all possible circumstances North Yorkshire Police will aim to respond to your complaint as soon as practicable but within 20 working days.

The Information Commissioner

After lodging a complaint with North Yorkshire Police if you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk> Alternatively, phone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF