



**NORFOLK**  
CONSTABULARY  
*Our Priority is You*

Norfolk Constabulary

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September 2016

Dear

**Freedom of Information Request Reference N<sup>o</sup>: FOI 003025/16**

I write in connection with your request for information received by the Norfolk Constabulary on the 9<sup>th</sup> August 2016 in which you sought access to the following information:

Please could you tell me how many reports of honour crime you have received in the past five years (from January 2011 to present)?

May I have the information broken down by date, the nature of the complaint (eg kidnap, beating, murder) and the outcome of the incident (eg arrest, charge).

Norfolk Constabulary holds information relevant to your request.

**Response to your Request**

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

Part 1

The Constabulary has recorded 105 honour based crimes and non-crime incidents since 2011.

With regards to the remainder of your request for information and any further specific details relating to these reports, the information cannot be provided due to exemptions within the Act.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at section 1(1)(b) is to disclose information that has been confirmed as being held.

The information you have requested is exempt, by virtue of the following exemptions:

- **Section 40(2) – Personal information**
- **Section 31(1) – Law Enforcement**

Section 40

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. In this particular instance, within the county there is a relatively low number of people from ethnic groups that would be most affected by this type of crime. For this reason, providing further details of these incidents and crimes, could provide sufficient information that could be used by individuals to determine whether they are under investigation and could lead to the identification of victims who have reported offences to the Police.

To disclose this information to the public via the Freedom of Information Act would not be considered 'fair'. Once released the information is published on the Norfolk Constabulary website and is available to any internet user.

On the basis that releasing personal data into the public domain that could be linked to a living individual in a way that they would not expect, would not be fair and would be a breach of principle 1 of the Data Protection Act.

This is an absolute, class based exemption and, as such, there is no requirement for the public interest test.

Section 31 is a prejudice based qualified exemption and there is a requirement to articulate the harm that would be disclosed by disclosure, as well as carrying out a public interest test.

### Harm

Norfolk Constabulary is charged with enforcing the law, preventing and detecting crimes and protecting the communities we serve. If we were to provide the additional details, this could assist those involved in such activities, to identify whether or not their involvement is known to the Police. This could lead to them taking steps to avoid detection such as destroying evidence, changing their offending behaviour or even increasing their level of offending. If they perceived, correctly or incorrectly, that their activities were under investigation this would result in an increased risk of harm to the victims of these crimes.

This would impact on the effectiveness of police procedures and investigations thereby hindering the prevention and detection of crime in this area.

### Factors favouring disclosure

Disclosing the information requested would lead to a better informed public and therefore more accurate debate regarding these types of offences. If members of the public have a better understanding of these types of offences this may encourage individuals to come forward with information that may assist in investigating these types of crimes.

There is also a public interest in the way in which the Constabulary allocates public funds.

### Factors against disclosure

Whilst the disclosure of information could result in members of the public providing information to the Police, disclosure could also discourage victims to come forward if they believe that disclosure of information, via the Freedom of Information process, could alert an offender that their activities have been reported. This would lead to an increased risk of harm to the victims.

Individuals involved in this type of offending, may take steps to avoid detection and destroy evidence. This would impact on police investigations and result in the need for additional resources and funds to be allocated to this area of business.

### Balance Test

The Constabulary relies heavily on the public providing information to assist in criminal investigations and has a duty to protect vulnerable individuals. Whilst there is a public interest in increasing the public's knowledge with regard to how the Constabulary manages reports of these types of offences; it would not be appropriate for information to be released that places the victims at risk of further harm. Anything that places victims at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service and they would be less likely to report incidents.

The victims in these types of offences are often known to the suspects/offenders and on occasions they will be family members themselves. This increases the risk of identification where small numbers of incidents are released.

It is our opinion that the balance lies in favour of non-disclosure of the individual figures by virtue of the exemption at section 31(1) Law Enforcement. This letter serves as a refusal notice under section 17(1) of the Freedom of Information Act for this part of your request.

Please note – the figures disclosed may not give a full picture of these types of incidents as other agencies will also be involved in dealing with these types of offences.

This response will be published on the Norfolk Constabulary's web-site [www.norfolk.police.uk](http://www.norfolk.police.uk) under the Freedom of Information pages.