



NORFOLK
CONSTABULARY
Our Priority is You

Norfolk Constabulary

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Dear

Freedom of Information Request Reference N^o: FOI 001650/16

I write in connection with your request for information received by the Norfolk Constabulary on the 19th April 2016 in which you sought access to the following information:

- 1 How many people have been charged (proceeded against) as a result of online harassment in the last five years, broken down annually
- 2 How many people have been charged (proceeded against) as a result of online harassment on Twitter in the last five years, broken down annually
- 3 How many people have been charged (proceeded against) as a result of online harassment on Facebook in the last five years, broken down annually
- 4 How many people have been arrested as a result of online harassment in the last five years, broken down annually
- 5 How many people have been fined as a result of online harassment in the last five years, broken down annually, and how much they were fined

Norfolk Constabulary holds information relevant to your request.

Response to your Request

When responding to a request for information under the terms of the Freedom of Information Act, a public authority is not obliged to provide information if the authority estimates that the cost of the retrieval of the information requested would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve *all* of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk Constabulary estimates that to retrieve all the information you have requested would exceed cost in excess of £450.

In order to establish what relevant information is held, we have contacted our Joint Performance and Analysis Department (JPAD). The information you have requested is not held in any easily retrievable format. We have looked at recorded crimes for the offences of Harassment and during the period 2012 to 2015, there have been 2,694 crimes. The only way to provide accurate figures, for those involving a form of online harassment, would be to manually review each one.

Based on a minimum of just 1 or 2 minutes per crime, this would exceed the appropriate limit for dealing with a Freedom of Information request, in terms of cost, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged to:

“...comply with a request for information if the authority estimates that the cost of Complying with the request would exceed the appropriate limit”.

The Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the ‘appropriate limit’ for the Norfolk Constabulary as £450, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice & Assistance

Although excess cost removes Norfolk and Suffolk Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relevant to your request, which was retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

In order to provide you with some information, JPAD have undertaken research of Harassment offences where the text includes either ‘online’, ‘internet’ or ‘web’. This is possible on the crime recording system which was in use up to 19th October 2015. This returned 147 crime records. Each of these have been read through to see if they refer to some form of email, internet, social media/apps being used as part of the harassment conduct. Please see below:-

Detection and Outcome	Number of Crimes
2012	
Detected	
03. Caution-Adults	1
2013	
Detected	
01. Charged/Summons	3
03. Caution-Adults	3
Undetected	
Outcome not completed	2
2014	
Detected	
01. Charged/Summons	5
08.1. Restorative / Youth Restorative Disposal	1
Undetected	
15. Victim supports but evidential difficulties prevent	6
18. No Suspect. Crime investigated. Case closed pending	1
2015 – until 19/10/2015	
Detected	
01. Charged/Summons	7
03. Caution-Adults	3
08.2. Extended Professional Judgement	2
Undetected	
10. Not in the Public Interest (Police)	4
14. No Suspect. Victim declines/unable to support	5
15. Victim supports but evidential difficulties prevent	8

16. Suspect ID. Victim does not support (or has withdrawn)	5
18. No Suspect. Crime investigated. Case closed pending	16

For recorded offences after 19th October, JPAD has reviewed recorded crimes of Harassment which have a 'cyber-enabled' indicator. No freetext facility is available on this database. The figures provided below are up to 30th April 2016.

Outcome	Number of Crimes
Not Recorded	55
Type 16 - Named Suspect Identified: Evidential Difficulties Prevent Further Action: Victim Does Not Support (Or Has Withdrawn Support From) Police Action	33
Type 18 - Investigation Complete; No Suspect Identified. Crime Investigated As Far As Reasonably Possible-Case Closed Pending Further Investigative Opportunities Becoming Available	24
Type 10 - Formal Action Against Offender is not in the Public Interest (Police)	20
Type 1 - Charged/Summoned/Postal Requisition	9
Type 15 - Named Suspect Identified: Victim Supports Police Action But Evidential Difficulties Prevent Further Action	9
Type 8 - Community resolution (Crime)	9
Type 3 - Caution Adult	5
Type 21 - Named suspect - Investigation resulting from crime report that could provide evidence to support formal action being taken against the suspect is not in the public interest - police decision	2
Type 6 - Penalty notice for disorder	2
Type 14 - Evidential Difficulties Victim Based-Named Suspect Not Identified: Crime Confirmed But The Victim Either Declines Or Unable To Support Further Police Investigation To Identify The Offender	2
Type 20 - Further action resulting from the crime report will be undertaken by another body or agency subject to the victim (or person acting on their behalf) being made aware of the act to be taken	1
Type 2 - Caution Youth	1
Type 3A - Caution Adult - alternate offence. Offender has been given a simple caution under the alternate offences rule.	1
Grand Total	173

To retrieve those crimes which include Twitter or Facebook, would also exceed the cost limit.