



Norfolk Constabulary

Freedom of Information Department
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW

Tel: 01953 425699 Ext: 2803

Email: freedomofinformation@norfolk.pnn.police.uk

June 2016

Dear

Freedom of Information Request Reference N^o: FOI 002023/16

I write in connection with your request for information received by the Norfolk Constabulary on the 17th May 2016 in which you sought access to the following information:

- 1 For the most recent 60 months held on record, please break down by calendar year the total number of recorded transphobic hate crimes from your force by:
 - A The identity of the victim under the characteristics of the Equalities Act 2010 – "sexual orientation, transgender identity, age, sex, disability, race, religion and belief"
 - B Gender and gender identity of the perpetrator(s)
 - C The gender and gender identity of the police officer that logged the crime.
 - D The number that resulted in a prosecution of the perpetrator(s)
 - E Nature of the hate crime e.g. malicious wounding and grievous bodily harm.

Norfolk Constabulary holds information relevant to your request.

Response to your Request

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

During the period requested, the Constabulary has recorded 136 crimes which are relevant to your request. Please note we have included all the relevant crime indicators that have been used during the last 60 months and this includes crimes where the indicator was homophobic/transphobic. The indicators are:-

- Believed Homophobic/Transphobic
- Believed Transphobic
- Transgender

A

Year	Victim Gender		
	Female	Male	Not Specified
2011	30	14	-
2012	20	33	1
2013	8	-	-
2014	7	6	-
2015	10	2	1

2016	1	1	-
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Year	Person Gender	Age
2011	Female	Under 18 x 3
2011	Female	19 x 3
2011	Female	20 x 1
2011	Female	21 x 4
2011	Female	22 x 2
2011	Female	23 x 4
2011	Female	24 x 2
2011	Female	26 x 1
2011	Female	27 x 1
2011	Female	29 x 3
2011	Female	30 x 1
2011	Female	31 x 1
2011	Female	35 x 1
2011	Female	36 x 5
2011	Female	38 x 2
2011	Female	42 x 2
2011	Female	43 x 1
2011	Female	44 x 1
2011	Female	47 x 1
2011	Female	48 x 1
2011	Female	49 x 1
2011	Female	51 x 1
2011	Female	58 x 1
2011	Female	59 x 1
2011	Female	66 x 1
2011	Female	69 x 1
2012	Not stated	18 x 1
2012	Female	18 x 2
2012	Female	21 x 1
2012	Female	24 x 2
2012	Female	29 x 2
2012	Female	32 x 1
2012	Female	35 x 1
2012	Female	37 x 1
2012	Female	38 x 1
2012	Female	39 x 2
2012	Female	40 x 1
2012	Female	41 x 1
2012	Female	42 x 1
2012	Female	44 x 1
2012	Female	50 x 1
2012	Female	54 x 1

2012	Female	59 x 1
2012	Male	Under 18 x 2
2012	Male	18 x 1
2012	Male	19 x 2
2012	Male	20 x 1
2012	Male	21 x 1
2012	Male	22 x 1
2012	Male	23 x 3
2012	Male	26 x 1
2012	Male	27 x 2
2012	Male	30 x 2
2012	Male	33 x 1
2012	Male	34 x 2
2012	Male	36 x 1
2012	Male	38 x 1
2012	Male	40 x 1
2012	Male	45 x 1
2012	Male	47 x 3
2012	Male	48 x 1
2012	Male	49 x 1
2012	Male	51 x 2
2012	Male	52 x 1
2012	Male	55 x 1
2012	Male	63 x 1
2013	Female	20-30 x 3
2013	Female	30-40 x 2
2013	Female	40-50 x 2
2013	Female	Over 70 x 1
2014	Female	20-30 x 3
2014	Female	40-50 x 2
2014	Female	50-60 x 1
2014	Male	30-40 x 3
2014	Male	50-60 x 3
2015	Female	20-30 x 3
2015	Female	30-40 x 1
2015	Female	40-50 x 4
2015	Female	50-60 x 2
2015	Male	20-30 x 1
2015	Male	50-60 x 1
2015	Not stated	Under 18 x 1
2016	Female	20-30 x 1
2016	Male	20-30 x 1

B The table below details the genders of suspects and offenders. The gender identity is not recorded.

	Offender/Suspect	
Year	Female	Male
2011	8	27
2012	11	31
2013	1	6
2014	2	7
2015	5	5
2016	0	1

Year	Person Gender	Age
2011	Female	Under 18 x 1
2011	Female	21 x 1
2011	Female	23 x 3
2011	Female	44 x 1
2011	Female	57 x 1
2011	Female	60 x 1
2011	Male	Under 18 x 2
2011	Male	18 x 5
2011	Male	19 x 2
2011	Male	21 x 1
2011	Male	22 x 1
2011	Male	24 x 1
2011	Male	25 x 1
2011	Male	28 x 1
2011	Male	30 x 1
2011	Male	32 x 1
2011	Male	33 x 1
2011	Male	34 x 1
2011	Male	38 x 2
2011	Male	39 x 1
2011	Male	43 x 1
2011	Male	44 x 1
2011	Male	49 x 1
2011	Male	52 x 1
2011	Male	61 x 1
2011	Male	Over 70 x 1
2012	Female	Under 18 x 1
2012	Female	22 x 2
2012	Female	25 x 1
2012	Female	28 x 1
2012	Female	31 x 1
2012	Female	35 x 1
2012	Female	38 x 1
2012	Female	40 x 1
2012	Female	44 x 1

2012	Female	49 x 1
2012	Male	Under 18 x 5
2012	Male	19 x 1
2012	Male	21 x 2
2012	Male	23 x 1
2012	Male	25 x 3
2012	Male	30 x 2
2012	Male	35 x 3
2012	Male	37 x 1
2012	Male	38 x 2
2012	Male	40 x 4
2012	Male	41 x 1
2012	Male	42 x 1
2012	Male	46 x 1
2012	Male	50 x 1
2012	Male	55 x 1
2012	Male	62 x 1
2012	Male	Over 70 x 1
2013	Female	61-70 x 1
2013	Male	31-40 x 3
2013	Male	41-50 x 3
2014	Female	21-30 x 2
2014	Male	Under 18 x 2
2014	Male	18-30 x 1
2014	Male	31-40 x 1
2014	Male	41-50 x 1
2014	Male	51-60 x 1
2014	Male	61-70 x 1
2015	Female	Under 18 x 1
2015	Female	18-30 x 2
2015	Female	41-50 x 1
2015	Female	51-60 x 1
2015	Male	Under 18 x 1
2015	Male	18-30 x 1
2015	Male	31-40 x 1
2015	Male	41-50 x 1
2016	Male	18-30 x 1

C This information is not held.

D

Crime Disposal	2011	2012	2013	2014	2015
R1. Restorative / Youth Restorative Disposal	2	3	-	1	1
A1. Charge	13	15	2	1	-

A3. Summons	3	2	-	2	-
B3. Reprimand	1	1	-	-	-
B1. Caution	2	3	-	-	-
B3. Final Warning	-	1	-	-	-
E. Penalty Notice Issued	-	1	-	-	-
R2. Extended Professional Judgement	-	-	1	1	1

E

Offence	2011	2012	2013	2014	2015	2016
Burglary Dwelling	-	-	-	-	1	-
Crime Other	2	-	-	-	-	1
Criminal Damage	10	9	-	-	2	-
Robbery	-	2	-	-	-	-
Sexual Offences	-	1	-	-	1	-
Theft Other	1	2	-	-	-	-
Violence Against Person	33	40	8	13	9	1
Grand Total	46	54	8	13	13	2

In order that none of the persons involved in these crimes can be identified, we have grouped the ages for the years where only the specific 'transgender' or 'transphobic' indicators have been available to use. The total number of crimes, in these years, has significantly reduced due to the specific indicator being used, thereby increasing the likelihood of those involved being identified.

The exemption at section 40(2) of the Freedom of Information Act has been engaged.

- Section 40 – Personal Information

Section 40(2) – Whilst Section 40 is a class based absolute exemption and there is no requirement to consider the harm or public interest test there is a requirement under sub-section 40(2), if the information requested relates to third parties, to articulate why disclosure would breach the Data Protection Act principles. The exemption at section 40(2) is relevant is the release of the personal information would be a breach of any of the 8 principles of the Data Protection Act 1998.

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.

It is reasonable to assume that when a member of the public has contact with the Constabulary they would expect their details to be kept confidential and in accordance with the Data Protection Act, and that information would not be made publicly available by releasing details via the Freedom of Information process. Once released this information is published on the Norfolk Constabulary website and is therefore available to any internet user.

In this particular instance, were we to provide the specific ages and genders, along with the other details that have been included in the response this would lead to the identification of those involved. Identification would be even more likely where members of the public already have some awareness of an incident or where information can be linked to other disclosures that have already been released. There would be an expectation that this information would be kept confidential and that the Constabulary would not increase the likelihood of identifying an individual by releasing the details under the Freedom of Information Act.

Releasing these details, leading to the identification of the individuals involved, would not be fair and would be a breach of Principle 1.

This response serves as a refusal notice under Section 17(1) of the Freedom of Information Act by virtue of the application of the exemption 40(2) of the Act for these parts of your request.