



NORFOLK
CONSTABULARY
Our Priority is You

May 2017

Freedom of Information Request Reference N°: FOI 004406/17

I write in connection with your request for information received by the Norfolk Constabulary on the 3rd April 2017 in which you sought access to the following information:

- 1 For the full year of 2016 (01/01/2016 - 31/12/2016) in total how many incidents and crimes did your police force record of:
 - A "honour" based violence?
 - B forced marriage?
 - C female genital mutilation?

- 2 If your police force records any of/ all of a)-c) together, for the full year of 2016 (01/01/2016 - 31/12/2016) in total how many incidents and crimes of "honour" based violence, forced marriage and female genital mutilation combined did your police force record?

- 3 For the full year of 2016 (01/01/2016 - 31/12/2016) in how many cases were criminal charges pressed which involved:
 - A "honour" based violence?
 - B forced marriage?
 - C female genital mutilation?

- 4 If your police force records any of/ all of a)-c) together, for the full year of 2016 (01/01/2016 - 31/12/2016) in how many cases of "honour" based violence, forced marriage and female genital mutilation were criminal charges pressed?

- 5 For the full year of 2016 (01/01/2016 - 31/12/2016) how many cases resulted in convictions involving:
 - A "honour" based violence?
 - B forced marriage?
 - C female genital mutilation?

- 6 If your police force records any of/ all of a)-c) together, for the full year of 2016 (01/01/2016 - 31/12/2016) in how many cases involving "honour" based violence, forced marriage and female genital mutilation were there convictions?

- 7 For the full year of 2016 (01/01/2016 - 31/12/2016) how many murder cases involving "honour" based violence did your police force record?

Norfolk Constabulary holds information relevant to your request.

Response to your Request

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

- Q1 Exempt – Section 31 & section 40.
Q2 Answer: 27

- Q3 Exempt – Section 31 & section 40.
Q4 Answer: 2
Q5 Exempt – Section 31 & section 40.
Q6 Answer: 0
Q7 Answer: 0

The Constabulary has provided a total figure of recorded offences but has exempted the individual figures for each offence. Providing the figures broken down by offence would impact on the Constabulary's law enforcement with regard to these types of crimes and would also increase the likelihood of identification of the victims. Sections 31(1) and 40(2) have been engaged.

- Section 31(1)(a)(b) Law Enforcement
- Section 40(2) Personal Information

Section 31 is a prejudice based qualified exemption and as such we are obliged to articulate the harm that would be caused by providing this information and apply a public interest test.

Section 40 – whilst section 40 is a class based absolute exemption and there is no requirement to consider the harm or public interest, 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.

Section 31

Harm

Norfolk Constabulary is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. If we were to break down the figures by offence 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 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 may be family members themselves. This increases the risk of identification where small numbers of incidents are released.

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, breaking the figures down further, 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.

It is our opinion that the balance lies in favour of non-disclosure of the individual figures by virtue of the exemptions at section 31(1) Law Enforcement and section 40(2) Personal Information. This letter serves as a refusal notice under section 17(1) of the Freedom of Information Act for these parts 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 offence.