



Norfolk Constabulary

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Dear

Freedom of Information Request Reference N^o: FOI 000446/16

I write in connection with your request for information received by the Norfolk Constabulary on the 29th January 2016 in which you sought access to the following information:

For the period April 2015 to December 2015, I request the following information:

Information on each case where this police force has dealt with, or been made aware of, an incident of "revenge pornography"

Could you break it down as follows:

- The date that the incident was reported
- The age of the victim
- Information on the nature of the circulation of the pornography (e.g. whether it was circulated on Facebook, for example)
- What action, if any, police took in response to the incident.

Norfolk Constabulary holds information relevant to your request.

Response to your Request

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

Description of Incident	Detection Status	Outcome	Victim Age
May 2015 - A photograph posted on FaceBook page. This photograph was of a personal nature.	Undetected	16. Suspect ID. Victim does not support (or has withdrawn)	20-30
May 2015 - Suspect(s) have posted, without permission, video film on a website.	Undetected	18. No Suspect. Crime investigated. Case closed pending	Under 20
May 2015 - Naked photographs of victim on facebook.	Undetected	16. Suspect ID. Victim does not support (or has withdrawn)	20-30
May 2015 - Offender has then sent sexual pictures via Facebook to friends and family of the IP, and has also posted them on their open Facebook Timeline.	Detected	B3. Youth Caution	Under 20

July 2015 - Video released on You Tube without the victims consent.	Undetected	18. No Suspect. Crime investigated. Case closed pending	30-40
July 2015 - Photographs posted on Facebook by estranged partner.	Detected	01. Charged/Summons	30-40
July 2015 - Naked photograph sent via LINE APP	Undetected	15. Victim supports but evidential difficulties prevent	30-40
July 2015 - Suspect has posted indecent images onto an icloud account where this is accessible by the public.	Undetected	15. Victim supports but evidential difficulties prevent	30-40
August 2015 - Nude photographs uploaded to Plenty of Fish website.	Detected	01. Charged/Summons	20-30
August 2015 - Threats made to made photographs public.	Detected	B1. Caution	20-30
September 2015 - Photographs of victim posted on Facebook wall.	Undetected		30-40
September 2015 - A short video has recently been posted on facebook.	Undetected		Under 20
September 2015 - Ip has had naked photos sent to others via face book.	Undetected		Under 20
September 2015 - Naked pictures of IP posted on Facebook.	Undetected		30-40
September 2015 - Photographs posted on Facebook and Snap Fish.	Undetected		20-30
September 2015 - On dates unknown the suspect has uploaded private sexual photos to an app called Whisper.			20-30
September 2015 - On dates unknown the suspect has uploaded private sexual photos to an app called Whisper.	Undetected		20-30
October 2015 - It has been reported to the police that an ex-boyfriend has showed friends private sexual photographs.	Undetected		20-30
October 2015 - Naked images uploaded to Facebook.		16. Named Suspect Identified: Evidential Difficulties Prevent Further Action: Victim Does Not Support	20-30
October 2015 - Private pictures of victim posted on Twitter account.		No outcome	Under 20
October 2015 - Posted nude photographs on twitter page.		16. Named Suspect Identified: Evidential Difficulties Prevent Further Action: Victim Does Not Support (Or Has Withdrawn Support From) Police Action	Under 20
November 2015 - Images posted on dating site.		03. Caution-Adults	20-30
December 2015 – Uploaded video without permission		Type 16: Named suspect identified: Evidential difficulties prevent further action: victim does not support	20-30
November 2015 - Placed some naked pictures on social media without permission		No outcome	20-30
November 2015 - Ex-boyfriend posted a pornographic picture onto his Facebook profile page.		type 16: Named suspect identified: Evidential difficulties prevent further action: victim does not support	30-40
November 2015 - Male sent sexual pictures of female to others		Type 9 - Prosecution not in the public interest (CPS)	30-40
November 2015 – Photos sent to friends & these have been posted on facebook		No outcome	Under 20
December 2015 – Male sent image to ex-partners new partner		No outcome	30-40

December 2015 – Male has sent pictures of his ex to family members		No outcome	20-30
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The specific dates that these incidents have been reported along with the exact ages of the victims have not been provided and 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 disclosing these further specific details, along with the information already provided, could lead to the identification of the victims and therefore also the suspects/offenders. There are a relatively low number of these types of crimes and some are very recent with enquiries still ongoing. There would be an expectation that this information would be kept confidential and that the Constabulary would not increase the likelihood of identifying a victim of crime by releasing the details under the Freedom of Information Act.

Releasing these details would not be considered 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.