



May 2017

Freedom of Information Request Reference N^o: FOI 004512/17

I write in connection with your request for information received by the Norfolk Constabulary on the 7th April 2017 in which you sought access to the following information:

Under the Freedom of Information Act I would like to request information about modern slavery.

Please state how many reports of offences under the Modern Slavery Act have been recorded by the force in each of the last two years since it became law.
Please outline each offence and provide a summary of the offence.
If possible provide a location where the offence was allegedly committed.

Please also state how many prosecutions have been made by the force under the Modern Slavery Act in each of the last two years since it became law.
Please outline each crime and provide a summary of the offence.
If possible provide a location where the crime was committed.

If it is not possible to provide a full summary for each offence and prosecution without breaching the FOI time limit, please state how many include the phrases "car wash" or "wash cars".

If possible could the recorded crimes and prosecutions be grouped in two years as follows:
From 26 March 2015 to 25 March 2016
From 26 March 2016 to 25 March 2017

If this is not possible please contact me by email to suggest how else the two years of data could be grouped.

Norfolk Constabulary holds information relevant to your request.

Response to your Request

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

Research has been undertaken of recorded crimes for the offence of Modern Slavery. Please note, where an investigation is still ongoing, a summary has not been provided due to exemptions within the Act.

Financial Year 2015/16			
Classification	Details	Location	Outcome
MODERN SLAVERY	Victim being used in drug dealing	Great Yarmouth	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
106. Modern Slavery	Victim was being used as a prostitute to gain money for suspect	Kings Lynn	Undetected
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Financial Year 2016/17			
Classification	Details	Location	Outcome
MODERN SLAVERY	Section 30	Broadland	Under Investigation
MODERN SLAVERY	Victim has been working for various employers through agencies. Has no employment contract and works in poor conditions	Norwich	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
MODERN SLAVERY	Section 30	Norwich	Under Investigation
MODERN SLAVERY	Victim worked for a subcontractor but received no money	Norwich	Type 21 - Further investigation resulting from crime report which could provide evidence sufficient to support formal action against the suspect is not in the public interest - police decision.

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.

Section 17 of the Freedom of Information Act 2000 requires that Norfolk Constabulary, when refusing to provide such information (because the information is exempt) are to provide you the applicant with a notice ban which:

- (a) States that fact
- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption:

Section 30(1) – Investigations

Section 30 is an absolute prejudice based exemption and I am therefore obliged to consider the public interest in disclosure.

Public Interest Test

Section 30 - Factors favouring Disclosure

Investigations are expensive and there is a public interest in the use of public funds. To disclose information about modern slavery investigations would identify where police resources are being allocated and reaffirm that we appropriately investigate such matters. The disclosure could lead to more information being received from the public.

Section 30 – Factors favouring Non-Disclosure

Information that relates to an ongoing investigation will rarely be disclosed under the FOI Act. By doing so we could risk prejudicing an investigation by providing to any suspect, or suspects, information that may result in a tactical advantage over the Constabulary or the disruption of an investigation.

We are charged with enforcing the law and we aim to provide a sufficient and positive approach to the way we conduct our investigations, we would not want a disclosure of this nature to compromise this in any way.

Victims and witnesses may be less likely to provide information if they believe details may be released under the FOI Act.

Balancing Test

In certain cases there will be a strong public interest in disclosing information, if to do so would have a positive effect on our core policing purposes. In this case, any disclosure would highlight the capabilities of the Constabulary showing how an investigation is progressing. It would not serve any policing function should a disclosure be made.

The timing of the request is crucial in the application of Section 30 and it is recognised that the exemption will not necessarily be applicable once the investigation has been finalised. However, until such a time, or it is publically acknowledged by the Constabulary that such investigations are ongoing, it cannot be considered in the best interests of the public to release information at such early stages of the investigations.

Having weighed up the factors favouring disclosure and those favouring non-disclosure, I have decided that the balance lies with non-disclosure.

In addition to the above, Norfolk Constabulary can neither confirm nor deny whether it holds any other information, relevant to the whole of your request, by virtue of the following exemption:-

- Section 23(5) – Information supplied by, or concerning, certain Security Bodies

The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded), which was directly or indirectly supplied to the public authority by, or relates to, any bodies specified in subsection (3).

This is an absolute exemption and I am not required to carry out a public interest test.

This cannot be taken as confirmation or otherwise that further information does or does not exist.