



March 2020

### Freedom of Information Request Reference N°: FOI 000513/20

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 3<sup>rd</sup> February 2020 in which you sought access to the following information:

Please could you answer the following questions on Section 76 of the Serious Crime Act 2015?

- 1 Please can you tell me how many reports of controlling or coercive behaviour were made under section 76 of the Serious Crime Act 2015 to officers for the calendar years:
  - A 2016
  - B 2017
  - C 2018
  - D 2019
  - E 2020 to date.
  
- 2 Please can you tell me how many arrests under section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour) were made by your officers for the calendar years:
  - A 2016
  - B 2017
  - C 2018
  - D 2019
  - E 2020 to date.
  
- 3 Please can you give me the outcomes (charged, not in public interest etc) of the arrests / offences committed identified in the answers to Q1a-c
  - A 2016
  - B 2017
  - C 2018
  - D 2019
  - E 2020 to date.
  
- 4 Can you tell me the number of referrals to the CPS by your force for a prosecution under section 76 of the Serious Crime Act 2015 were rejected/not taken forward by the CPS for the calendar years (by this I mean cases brought to the CPS by your police force that is not taken to prosecution for whatever reason eg lack of evidence etc):
  - A 2016
  - B 2017
  - C 2018
  - D 2019
  - E 2020 to date.

5 Can you please provide all of this data in either an .xls/.xlsx/.csv file format?

### Response to your Request

The response provided below is correct as of 7<sup>th</sup> February 2020.

Norfolk and Suffolk Constabularies have considered your request and our response is below.

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 and Suffolk Constabularies estimates that to retrieve all the information you have requested for both forces would exceed cost in excess of £450 (per force).

Research has been undertaken in relation to reported crimes and arrests for the offence of Controlling and Coercive behaviour. With regard to question 4, this information would only be retrievable by reviewing each investigation record. Based on the numbers of crimes and arrests, this would significantly exceed 36 hours.

This would therefore exceed the appropriate limit for dealing with a Freedom of Information request, in terms of costs, 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 and Suffolk Constabularies as £450 for each Constabulary, 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.

Q1 Recorded Crimes

Year	Attempted - Engage in controlling/coercive behaviour in an intimate / family relationship.	Engage in controlling/coercive behaviour in an intimate / family relationship.	Total
<b>NORFOLK</b>			
2016	-	78	<b>78</b>

2017	-	176	<b>176</b>
2018	-	235	<b>235</b>
2019	-	499	<b>499</b>
2020	1	76	<b>77</b>
<b>Total</b>	<b>1</b>	<b>1064</b>	<b>1065</b>
<b>SUFFOLK</b>			
2016	-	110	<b>110</b>
2017	-	246	<b>246</b>
2018	-	347	<b>347</b>
2019	1	456	<b>457</b>
2020	-	68	<b>68</b>
<b>Total</b>	<b>1</b>	<b>1227</b>	<b>1228</b>

Q2 Arrests for the offence of Coercive/Controlling Behaviour. Please note that there will be arrests for other offences, for example other domestic abuse related offences, which will result in a crime of Coercive/controlling behaviour being recorded, but where this was not the initial reason for arrest. Therefore, the figures in the table below will be significantly lower than the number of recorded crimes above.

Year	Arrest Offence Coercive / Controlling Behaviour
<b>NORFOLK</b>	
2016	<b>2</b>
2017	<b>34</b>
2018	<b>57</b>
2019	<b>177</b>
2020	<b>21</b>
<b>Total</b>	<b>291</b>
<b>SUFFOLK</b>	
2016	<b>33</b>
2017	<b>43</b>
2018	<b>66</b>
2019	<b>167</b>
2020	<b>17</b>
<b>Total</b>	<b>326</b>