



August 2017

Freedom of Information Request Reference N^o: FOI 005662/17

I write in connection with your request for information received by Norfolk Constabulary on the 11th July 2017 in which you sought access to the following information:

This is a list of Pupil Referral Units in your area, with postcodes:

The Pinetree School IP24 3LH
Short Stay School for Norfolk NR10 5JW

Could you please provide me with the following information by filling in the attached spreadsheet:

- 1 A list from the police log of all calls made to the police from 2012 onwards, where one of the Pupil Referral Units listed above is recorded as the location of the call. Please note on sheet 1 of the spreadsheet:
 - Date of call
 - Location of call
 - Nature of incident
 - Outcome, eg matter concluded, crime reported.

- 2 All recorded crimes from 2012 onwards, where one of the Pupil Referral Units listed above is recorded as the venue of the crime. Please note on sheet 2 of the spreadsheet:
 - Date of crime report
 - Venue of alleged crime
 - Nature of crime
 - Outcome, eg charged, NFA.

Response to your Request

The response provided below is correct as of 20th July 2017

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

- Q1 Research has been undertaken of recorded incidents reported to the Contact and Control Room in relation to the Pupil Referral Units in your request. Please see results below:-

The Pinetree School

Year	Incident Category
2012	Alarms
2013	Anti-Social Behaviour (Nuisance)
2013	Suspicious Circumstances
2013	Public Order

2013	Fire
2014	Concern For Safety
2014	Violence Against Person
2014	Pre-Planned Event
2014	Violence Against Person
2014	Anti-Social Behaviour (Nuisance)
2014	Concern For Safety
2015	Public Order
2015	Violence Against Person
2015	Anti-Social Behaviour (Nuisance)
2015	Sexual Offence
2015	Violence Against Person
2015	Violence Against Person
2015	Violence Against Person
2015	Suspicious Circumstances
2015	Criminal Damage
2015	Concern For Safety
2015	Crime - Other
2015	Administration
2015	Suspicious Circumstances
2015	Criminal Damage
2015	Concern For Safety
2015	Violence Against Person
2015	Violence Against Person
2015	Suspicious Circumstances
2015	Criminal Damage
2015	Suspicious Circumstances
2015	Theft - Other
2015	Violence Against Person
2015	Criminal Damage
2015	Administration
2015	Criminal Damage
2015	Theft - Other
2016	Absent
2016	Absent
2016	Violence Against Person
2016	HoaxCalls
2016	Alarms
2016	Violence Against Person
2016	Anti-Social Behaviour (Nuisance)
2016	Concern For Safety
2016	Criminal Damage

2017	Violence Against Person
2017	Violence Against Person
2017	Theft - Other
2017	Violence Against Person

The Douglas Bader School

Year	Incident Category
2012	Concern For Safety
2012	Violence Against Person
2013	Violence Against Person
2013	Abandoned Call
2013	Abandoned Call
2014	Anti-Social Behaviour (Nuisance)
2014	Public Order
2015	Violence Against Person
2015	Abandoned Call
2015	Suspicious Circumstances
2015	Concern For Safety
2015	Absent
2015	Concern For Safety
2015	Anti-Social Behaviour (Nuisance)
2015	Criminal Damage
2015	Abscond/AWOL/Wanted/Police & Court Order/Bail
2015	Concern For Safety
2015	Missing Person
2015	Concern For Safety
2015	Absent
2015	Concern For Safety
2015	Concern For Safety
2015	Suspicious Circumstances
2016	Abandoned Call
2016	Suspicious Circumstances
2016	Violence Against Person
2016	Concern For Safety
2016	Concern For Safety
2016	Abandoned Call
2016	Abandoned Call
2016	Violence Against Person
2016	Concern For Safety
2016	Missing Person
2016	Hate Crime

2016	Suspicious Circumstances
2017	Missing Person
2017	Missing Person
2017	Public Order
2017	Concern For Safety
2017	Abscond/AWOL/Wanted/Police & Court Order/Bail
2017	Violence Against Person

Q2 Research has been undertaken of recorded crimes reported to the Constabulary in relation to the Pupil Referral Units in your request. Please see results below:-

The Pinetree School

Year	Crime Category	Outcome
2015	Criminal Damage	02. Caution-Youths
2015	Crime Other	08.2. Extended Professional Judgement
2015	Violence Against Person	08.1. Restorative / Youth Restorative Disposal
2016	Violence Against Person	Type 16
2016	Violence Against Person	Type 16
2016	Violence Against Person	Type 16
2016	Criminal Damage	Type 8
2016	Violence Against Person	Type 16
2016	Violence Against Person	Not recorded
2017	Violence Against Person	Type 8
2017	Criminal Damage	Type 8
2017	Violence Against Person	Type 16
2017	Theft	Type 1
2017	Violence Against Person	Type 8

The Douglas Bader School

Year	Crime Category	Outcome
2015	Violence Against Person	Undetected
2015	Sexual Offences	15. Victim supports but evidential difficulties prevent
2015	Criminal Damage	16. Suspect ID. Victim does not support (or has withdrawn)
2015	Criminal Damage	11. Suspect is below age of criminal responsibility
2016	Violence Against Person	Type 11
2016	Violence Against Person	Type 21
2016	Violence Against Person	Type 15
2016	Violence Against Person	Type 8
2016	Violence Against Person	Type 20
2017	Criminal Damage	Type 11

2017	Violence Against Person	Type 20
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Type 1 -	Charged/Summoned/Postal Requisition
Type 8 -	Community Resolution (Crime)
Type 11 -	Prosecution Prevented – Named Suspect Identified But Is Below The Age Of Criminal Responsibility
Type 15 -	Named Suspect Identified: Victim Supports Police Action But Evidential Difficulties Prevent Further Action
Type 16 -	Named Suspect Identified; Evidential Difficulties Prevent Further Action: Victim Does Not Support (Or Has Withdrawn Support From) Police Action
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
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.

The exact dates have not been provided due to exemptions within the Act.

Section 17 of the Freedom of Information Act 2000 required that Suffolk Constabulary, when refusing to provide such information (because the information is exempt) is 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(s);

- **Section 40(2) – Personal Data**

Section 40 is a class based exemption and there is no requirement for the Constabulary to undertake a public interest test.

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 subsection 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 the exact dates, along with the information already provided, could lead to the identification not only the suspects/offenders but also potentially the victims of these crimes. Undoubtedly some of whom will be children. There are a relatively low number of crimes and incidents and there are a limited number of individuals linked with these units therefore the likelihood of identification is increased. There would be an expectation that this information would be kept confidential and that the Constabulary would not increase the likelihood of identifying individuals, including children, 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.