



NORFOLK
CONSTABULARY
Our Priority is You

Mr N. Henderson

request-3790-c79cb574@whatdotheyknow.com

Date: 14th of November 2008

Norfolk Constabulary

Freedom of Information Department
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW

Tel: 01953 42 4487

Fax: 01953 42 4080

Email: freedomofinformxxxxx@xxxxxxx.xn.police.uk

www.norfolk.police.uk

Non-Emergency Tel: 0845 456 4567

Dear Mr Henderson

Freedom of Information Request Reference N^o: FOI 476/08

I write in connection with your request for information received by the Norfolk Constabulary. I note you seek access to the following information:

- 1. The total number of homophobic hate crimes reported in the last year***
- 2. The total number of homophobic hate crimes reported in the last three years***
- 3. The total number of those hate crimes that were reported to the Crown Prosecution Service in the last year***
- 4. The total number of those hate crimes that were reported to the Crown Prosecution Service in the last three years.***

I can confirm that information relevant to your request is **held** by the Norfolk Constabulary.

Result of the Searches to Locate Information Relevant to your Request.

Information relevant to parts 1 and 2 of your request

The Norfolk Constabulary has recently answered these questions following the submission of an earlier Freedom of Information request. The response to that earlier request is published on the Disclosure Log section of our Force web-site and can be found via the following web-link:

http://www.norfolk.police.uk/foi_disclosurelog.cfm?FOIDiscCatID=8&Year=2008&bctrail=0,540

The document in question can be found in the October 2008 section under the reference number FOI/452/08. This document represents our response to these parts of your current request.

Information relevant to parts 3 and 4 of your request

The Partnerships Department of the Norfolk Constabulary has advised that the Crown Prosecution Service are made aware of incidents when advice is sought following the arrest or interview of a suspect.

Consultations with the Crown Prosecution Service (CPS) are not recorded on the Norfolk Constabulary's electronic crime recording systems by means of a simple 'flag' or a yes/no tick box, as a result we do not have the facility to conduct an automated search for the purposes of generated a statistical return of the number of recorded crimes that were referred to the CPS for advice.



Individual case notes may contain specific references to consultations with the CPS. The Norfolk Constabulary could conduct a manual examination of each recorded crime to ascertain whether there is a specific reference to consultations with the CPS within each case file. The Partnerships Department has estimated that to conduct such a manual search would take in excess of 30 hours to complete.

This would exceed the appropriate limit for dealing with Freedom of Information requests, 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, defines the ‘appropriate limit’ for the Norfolk Constabulary as £450, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17(5) of the Freedom of Information Act (2000), this letter serves as a **Refusal Notice** for this aspect of your request.

However, we are able to advise that between the 1st of January 2008 and the 30th of September 2008, our crime recording database indicates that a total of 14 detections were recorded against recorded crimes annotated with a homophobic hate crime marker, and a further 26 detections were recorded in the 2007 calendar year (an explanation of how crimes can be recorded as detections under the current Home Office counting rules can be found on the Home Office web-site: <http://www.countingrules.homeoffice.gov.uk/output/page1.asp>).

All of the detected crimes referred to above will have been referred to the CPS as this is the policy of the Norfolk Constabulary. Other incidents and recorded crimes may have been referred and advice sought from the CPS, which may have resulted in a decision to take no further action, in which case these crimes would not be recorded as detected and would not appear as part of the figure shown above relating to detections.

I would like to thank you for your interest in the Norfolk Constabulary, and I can confirm that a copy of this response will be published in the “**Disclosure Log**” section of the Norfolk Constabulary’s web-site under the category “**Crime Related Statistics**”. You can access the disclosure log via the following web-link:

http://www.norfolk.police.uk/foi_disclosurelog.cfm?bctrail=0,540

Should you have any further queries concerning this request, please contact me quoting the reference number shown above.

Yours sincerely,
Richard Kindleysides
Freedom of Information Department
Norfolk Constabulary

A full copy of the Freedom of Information Act (2000) can be viewed on the ‘Office of Public Sector Information’ web-site;
<http://www.opsi.gov.uk/>

The Norfolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, **you have the right** to ask the Norfolk Constabulary to review their decision.

Prior to lodging a formal request for a review, you are welcome, and encouraged, to discuss the decision with the case officer that dealt with your request.

Ask the Norfolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by the Norfolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk Constabulary that you are requesting a review within **2 months** of the date of its response to your Freedom of Information request. **Requests for a review should be made in writing and addressed to:**

**Freedom of Information Decision Maker
Professional Standards Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW**

In all possible circumstances the Norfolk Constabulary will aim to respond to your complaint within **2 months**.

The Information Commissioner.

After lodging a request for a review with the Norfolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.informationcommissioner.gov.uk or contact them at the address shown below:

**The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700**