



NORFOLK
CONSTABULARY
Our Priority is You

11th October 2017

Freedom of Information Request Reference N°: FOI 006473/17

I write in connection with your request for information received by Norfolk Constabulary on the 14th September 2017 in which you sought access to the following information:

- 1 How many people were arrested under Section 76 of the Serious Crime Act 2015 for 'Controlling or Coercive Behaviour in an Intimate or Family Relationship' over the following periods:
 - A 1 January 2016 to 30 June 2016?
 - B 1 July to 31 December 2016?
 - C 1 January 2017 to 30 June 2017
- 2 How many people were arrested for 'stalking and harassment' over the following periods:
 - A 1 January 2015 to 30 June 2015?
 - B 1 July 2015 to 31 December 2015?
 - C 1 January 2016 to 30 June 2016?
 - D 1 July 2016 to 31 December 2016?
 - E 1 January 2017 to 30 June 2017
- 3 Please provide a breakdown of the official recorded crime outcomes of the arrests set out above in Q1 and Q2 (charged, cautioned, no further action etc.), broken down over those same periods of time.

Response to your Request

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 Constabulary estimates that to retrieve all the information you have requested would exceed cost in excess of £450.

In order to establish what information is held relevant to your request, we have contacted our Joint Performance and Analysis Department. They have advised that for the period to October 2015, it is not possible to identify arrests that have made in relation to stalking and harassment. Therefore it would be necessary to review arrests for Violence against the Person to see which refer to stalking and harassment.

This would require the review of hundreds of custody records, between January and October 2015, and this would significantly 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 2004, 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 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice & assistance

Although excess cost removes the Constabulary’s 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 Research has been undertaken of arrests for the offence of Coercive/Controlling Behaviour for the periods requested. Please see figures below, along with the arrest outcomes:-

2016	Outcome			
Month	Adult Caution	Bail to Police Station	Charge	Refused Charge (NFA)
January	0	1	0	0
February	0	0	0	2
April	0	0	0	3
June	0	0	0	4
Grand Total	0	1	0	9

2016	Outcome			
Month	Adult Caution	Bail to Police Station	Charge	Refused Charge (NFA)
July	0	0	0	5
August	0	0	0	8
September	1	0	0	2
October	0	0	0	3
November	0	0	0	7
December	0	0	1	4
Grand Total	1	0	1	29

2017	Outcome			
Month	Adult Caution	Bail to Police Station	Charge	Refused Charge (NFA)
January	0	0	2	4
February	0	0	1	4
March	0	0	0	8
April	0	0	0	1

May	0	1	0	2
June	0	0	0	5
Grand Total	0	1	3	24

Q2 The custody system does not record arrests for stalking offences separately. Any arrests for stalking will be under the offence arrest category of Harassment. Therefore the below figures refer to arrests for Harassment:-

2015			
Disposal	Month		
	Oct	Nov	Dec
Adult Caution	1	1	2
Bail to Police Station	2	2	1
Charge	6	22	15
Detention Refused	0	1	0
Further Enquiries (voluntary attendee)	0	0	1
Harassment Information	0	1	0
Refused Charge (NFA)	5	14	9
Released Without Charge - Mental Health Reasons	0	0	1
Reported for Process	0	1	0
Transferred - to other lawful Detention Authority	0	2	0
Youth Caution	0	1	0
Grand Total	14	45	29

2016						
Disposal	Month					
	Jan	Feb	Mar	Apr	May	Jun
Adult Caution	0	3	0	2	1	0
Bail to Police Station	0	0	0	0	1	0
Charge	22	21	20	13	19	23
Detained for Court - Breach of Injunction	0	0	0	0	1	0
Further Enquiries (voluntary attendee)	0	1	1	0	3	0
Harassment Information	0	1	0	0	0	0
No Further Action (voluntary attendee)	1	0	1	1	0	0
Refused Charge (NFA)	12	10	14	14	14	13
Released - as authorised by Immigration Service	0	0	1	0	0	0
Transferred - to other lawful Detention Authority	1	0	0	0	0	0
Youth Caution	0	0	0	0	1	1
Grand Total	36	36	37	30	40	37

This response will be published on the Constabulary's web-site under the Freedom of Information pages:-

<https://www.Norfolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

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/>

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 Norfolk Constabulary to review their decision.

Ask Norfolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Norfolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Norfolk Constabulary that you are requesting a review within 20 days 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
Information Management Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.pnn.police.uk*

In all possible circumstances Norfolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with 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.ico.org.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