

6<sup>th</sup> April 2021

**Freedom of Information Request - Reference No: 20210533**

**REQUEST**

Please could you provide us with a list of all female victims of homicide killed between 1 January 2020 and 31 December 2020 (inclusive) which your authority has been responsible for investigating and, for each victim:

1. the date of the homicide;
2. the names of the victims and the accused / perpetrator;
3. the age of the victim;
4. the ethnicity/race of the victim;
5. the relationship between the accused and the victim;
6. the sex of the accused / perpetrator;
7. if identified, the way in which the victim was killed;

Also, if possible we would appreciate the following information.

8. whether there were any previous reports from the victim (or any third party) regarding the accused / perpetrator; and
9. whether there were any previous reports and / or convictions of any other offences related to violence against women perpetrated by the accused / perpetrator.

**RESPONSE**

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, when refusing to provide such information (because the information is exempt), to provide you the applicant with a notice which:

- a. states that fact,
- b. specifies the exemption in question and
- c. states (if that would not otherwise be apparent) why the exemption applies.

The following exemptions apply to the disclosure of the information:

**Section 21 - Information which is reasonably accessible by other means.**

The Crime Administrator has returned 4 offences stating that this is the number of specified offences currently recorded for dates 01-Jan-2020 and 31-Dec-2020, however this could change as the data has been extracted from a live crime system.

I have attached some links to these offences, as these are already accessible in the public domain.

<https://www.facebook.com/southyorkshirepolice/posts/update-woman-named-in-barnsley-murder-inquiry-a-31-year-old-woman-who-died-in-th/10157136401013097/>

<https://www.facebook.com/southyorkshirepolice/posts/update-woman-named-in-doncaster-murder-investigation-a-26-year-old-woman-who-sadl/10157362578463097/>

<https://www.facebook.com/southyorkshirepolice/posts/breaking-woman-receives-life-sentence-for-killing-neighbour-a-41-year-old-woman-h/10157913224123097/>

<https://www.facebook.com/southyorkshirepolice/posts/news-woman-named-in-sheffield-murder-investigation-a-44-year-old-woman-who-sadly-/10157607622278097/>

For any other information requested.

The following exemptions apply to the disclosure of the information:

**Section 40(5) Personal Information.**

**Section 30(3) Investigations and Proceedings conducted by the Local Authority**

**Section 31(3) Law Enforcement**

**Section 40(5) Personal Information:**

This is an absolute exemption and therefore a Public Interest Test is not relevant. However, for clarity if records were held that contained the personal information required, it would be a breach of the Data Protection Act 2018 to provide those details to a third party (i.e. not the person involved) without permission of any individuals concerned.

**Harm in complying with s1(1)(a) – to confirm or not whether information is held**

The applicant is asking specifically within questions 8&9 for information (aka intelligence) that has been provided to the Police Service in confidence by individuals. The public expect police forces and other law enforcement agencies to use all powers and tactics available to them in their endeavour to prevent and detect crime or disorder and maintain public safety. There are a number of tactics available for gathering intelligence including, as in this case, recorded information that is provided by members of the public when they contact South Yorkshire Police of their own volition.

The [College of Police APP Information Management Module](#) is a national standard adhered to by all police forces across England and Wales. Police Information refers to all information obtained, recorded or processed for a policing purpose and includes information which is processed (known as data, including personal data) and information which has been subject to a process of evaluation (known as intelligence).

It is a business process with an intention to provide focus to operational police and to achieve a disproportionately greater impact from the resources applied to any problem. It is dependent on a clear framework of analysis of information and intelligence allowing a problem solving approach to law enforcement and crime prevention techniques.

The Police Service would never confirm or deny whether information has been supplied by members of the public relating to a named individual or not, whoever that individual may be, unless there is genuine operational reason to do so. If South Yorkshire Police reveals

information, by confirming information is held (by citing an exemption) or, conversely, stating no information is held, that in itself reveals information about a named individual and would undermine the above APP.

In addition, the flow of information (intelligence) into South Yorkshire Police could be compromised which would have an impact on our ability to collect reliable and accurate intelligence resulting in more costly and time consuming methods of collecting information. In addition confirmation or denial has potential to undermine ongoing operations, investigations as well as any future judicial process.

Finally, and more importantly, any disclosure which would undermine an investigation would also compromise the health and safety of an individual placing them in danger.

## **Public Interest Considerations**

### **Section 30 - Investigations and Proceedings conducted by the Local Authority**

#### *Factors favouring complying with s1(1)(a)*

Confirming or denying whether information exists relevant to this request would lead to a better informed general public by identifying that South Yorkshire Police robustly investigate crime. This fact alone may encourage individuals to provide intelligence in order to assist with investigations and promote public trust in providing transparency and demonstrating openness and accountability into where the police are currently focusing their investigations.

#### *Factors against complying with Section 1(1)(a)*

Confirmation or denial that information is held would suggest South Yorkshire Police take their responsibility to appropriately handle and manage intelligence supplied to them flippantly.

Under FOI there is a requirement to comply with s1(1)(a) and confirm that information is held. In some cases it is that confirmation, or not, which could disclose facts which would undermine the investigative process and in such cases South Yorkshire Police takes advantage of its ability under FOI legislation to, where appropriate, neither confirm nor deny that information is or is not held.

Irrespective of what information is or isn't held regarding questions 8&9, any information which could be used to undermine prosecutions or aid offenders is not in the public interest.

## **Section 31 Law Enforcement**

#### *Factors favouring complying with Section 1(1)(a) confirming information is held*

Violence against women is an extremely emotive subject, even more so in the current climate following the tragic murder of Sarah Everard. There are lot of protests and campaigning ongoing into this subject as well as a vast amount of journalistic material in the public domain and this in itself favours confirmation or denial. Please see below examples:

[Anmesty International](#)

[End Violence against Women](#)

[BBC News article](#)

*Factors against complying with Section 1(1)(a) neither confirming nor denying that information is held*

South Yorkshire Police has a duty of care to the community at large and public safety is of paramount importance. If an FOI disclosure reveals information to the world by not adopting an NCND position, this action would compromise the effective delivery of operational law enforcement as detailed in the harm above.

South Yorkshire Police relies on information being supplied by the public. Irrespective of what information is or is not held, by applying substantive exemptions would indicate that information is held and therefore reveal personal information about an individual. Such action would act as a deterrent to the public to provide intelligence to the force and would not be in the public interest.

### **Balance Test**

The points above highlight the merits of confirming or denying that information pertinent to questions 8&9 exists. The Police Service relies heavily on the public and other law enforcement agencies providing information. The public has an expectation that any information they provide will be treated with confidence and in line with the APP Information Management Module. Anything which places that confidence at risk, no matter how generic, would undermine any trust or confidence other agencies and individuals have in the Police Service.

The effective delivery of operational law enforcement takes priority and is at the forefront of South Yorkshire Police to ensure the prevention and detection of crime is carried out and the effective apprehensive or prosecution of offenders is maintained.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for Neither Confirming Nor Denying that information is held for questions 8&9 is appropriate in this case.