

25th February 2021

Freedom of Information Request - Reference No: 20210193

REQUEST

I would like to know the following information under the Freedom of Information Act (FOIA) for your police force area between the month of January 2008 and month of December 2020 (both inclusive).

- 1) The precise location, i.e., either A.) road name plus village/town/city plus postcode or B.) six digit grid reference number, of each established homicide (that is incidents of murder, manslaughter or infanticide).
- 2) The date of the respective incident (if not available, then the date of reporting).
- 3) The name of the victim or victims for each homicide.

Clarification

South Yorkshire Police has received a number of similar requests to yours in the past. All such requests and responses are published on the Force Disclosure Log, which can be found on the South Yorkshire Police website at: -

<https://www.southyorkshire.police.uk/find-out/accessing-information/>

You may find that research of the Log may be worthwhile prior to submitting future requests as this may well result in the information being available immediately rather than any delay resulting from the process of responding to a request under the Act. In particular, we would draw your attention to the following entries: -

<https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/murder-stats-ref-20181007/>

<https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/homicide-ref-20181567/>

<https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/murder-stats-2017-ref-20180072/>

Reply to Clarification

Thank you for providing links to three previous FOI requests which were answered by your office. These links however, do not answer my request, which was: **1) The precise location, i.e., either A.) road name plus village/town/city plus postcode or B.) six digit grid reference number, of each established homicide (that is incidents of murder, manslaughter or infanticide). 2) The date of the respective incident (if not available, then the date of reporting). 3) The name of the victim or victims for each**

homicide; for every incidents between 01/01/2008 to 31/12/2020 (both dates inclusive).

I provide reasons why none of this satisfies my requirements below.

A) Link 1: <https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/murder-stats-ref-20181007/>

This only lists the total homicides in each year from 1995-2017, without any details to the precise location (number 1 above), or precise dates (number 2 above), or name of victims (number 3 above). As a result this does not answer my particular requirement.

B) Link 2: <https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/homicide-ref-20181567/>

This only includes counts of total homicides by age and ethnicity for the period 22-AUG-2017 AND 22-AUG-2018. This does not include any information on the precise location (number 1 above), or name of victims (number 3 above). As a result this does not answer my particular requirement.

C) Link 3: <https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/murder-stats-2017-ref-20180072/>

- a) This request only covers 01-JAN-2017 to 31-DEC-2017 time period, unlike my request, which asks for 01-JAN-2008 to 31-DEC-2020 (both dates inclusive) time period.
- b) This request does not have the precise location for each homicide as my request of number 1 above, i.e., even though it includes street and area, it does not have respective postcode or the six digit grid reference number.
- c) This request also does not include the name(s) of the victim(s) (number 3 above).

As a result this does not answer my particular requirements.

Along with these three links above I have also checked all the entries of the Disclosure Log in your website, one more request which could have been mistaken as satisfying my requirements is below, with reasons why it does not satisfy this request:

D) Link 4 (own research): <https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/undetected-murders-ref-20170562/>

- a) This request only asks for undetected ongoing murders that are under review, contrary to this my request asks for each incidents of homicides (murders+manslaughter+infanticide), whether solved or unsolved.
- b) This request is covered till 18-FEB-2017, my requests asks for records for 01-JAN-2008 till 31-DEC-2020 (both dates inclusive).
- c) Moreover, the location information included is not precise enough, i.e. I would require the street names along with area/village/city/town and postcode or the six digit grid reference number (number 1 above).

Consequently, none of the above links in the FOI disclosure log of your PFA satisfies my requirements.

I hope this answers the clarification you requested. Please let me know if you require any further information. I will look forward to hearing from you.

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 exemption applies to the disclosure of the information:

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

The Administrator has returned 54 offences. I have attached the links to those that are already accessible in the public domain.

For any further information held that fits the criteria of your request, the following exemptions apply:-

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

The following exemption applies to the disclosure of the information:

**Section 30- (1)(a)(b)- Investigations and Proceedings Conducted by Public Authorities
Section 38 - Health and Safety (1)(a)**

HARM

It is important to state that a response to a Freedom of Information request is not just published to the requestor, but also to the world as well, by its possible publication on the forces disclosure log. Therefore, any material provided within the response could be potentially viewed by anyone who wished to see it.

The data has been assessed to ascertain if the information requested is suitable for release. The Data Protection Act only protects the personal information of living individuals. In addition, some of the information you require will already be in the public domain by press releases.

There are a number of cases that are not in the public domain and still remain under review. As the information relates to Homicide, we would not wish such sensitive information to be released into the public domain, as it could compromise any further lines of enquiry and the integrity of the investigations.

I am also of the view that the release of the information you request is likely to cause significant upset or distress to the relatives or friends of the victims, due to the nature of the crime, combined that this is not in the public domain, and the sensitivities involved.

PUBLIC INTEREST TEST

Section 30 – Favouring non- Disclosure

- Any current and/or future investigations into these cases could be compromised, by the release into the wider public domain of specific sensitive information relating to these matters.
- Individuals may be reluctant to come forward and provide information if they believe that details relating to any investigation could be released, via an FOI request, whilst an enquiry is ongoing.

Section 30 – Favouring disclosure

- The public would have a better understanding of how investigations are conducted by South Yorkshire Police and the public funds used to investigate such cases.

Section 38 – Favouring non Disclosure

- The distress that may be caused to the family concerned, by the release of material into the wider public domain.

Section 38 – Favouring disclosure

- The public would have a better understanding of how investigations are conducted

Balancing Test

The request for information has been considered. The key test when considering the public interest is to establish whether in all the circumstances of the request, the public interest in disclosing the information is not outweighed by that in maintaining the exemption

The strongest reason for withholding information is that cases are currently undetected, and further investigations could be compromised by releasing material pertinent to your request. This has to be set against the strongest reason for the disclosure of information, which in my opinion, is that disclosure demonstrates the transparency of police operations.

As I have already stated, a Freedom of Information request is not just a release to the person making the request, but also to the world. It cannot be clear at present what effect disclosures made by a Freedom of Information response may have upon such investigations. I would not also wish to cause any unnecessary distress to the families of the victims by a public release of information.

Therefore, at this time, the public interest favours non-disclosure, and the offence information for these cases is withheld.

However, I am prepared to release the data relating to the remaining cases under Section 21, as such details are already in the public domain and which, in my opinion do not engage the exemptions above.

Given the present situation, the Crime Administrator is currently working from home and cannot access the software needed to extract data from CMS(ii), which is our legacy system, and would provide data for between 01-Jan-2008 and 04-Dec-2017. This will be provided at a later date.

Please note, postcodes are not a mandatory requirement when logging an offence.