



FREEDOM OF INFORMATION REQUEST



Request Number: F-2020-01769

Keyword: Organisational Information/Governance

Subject: Honour Based Abuse - Violence Cases

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland does hold information to which your request relates and this is being provided to you. We further consider the information you seek in request numbers 1B and 1C are exempt by virtue of Section 30 of FOIA and have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

Request 1 A

Please can you confirm, individually for year 2018 and 2019:

How many incidents of 'honour-based abuse' (HBA) or 'honour-based violence' (HBV) and 'forced marriage' your police force recorded?

Answer

Honour Based Incident definition:

Where a clearly identifiable crime or incident has occurred this qualifier is to be used to ensure that any characteristics of 'honour-based' activity around the incident are captured. Honour-based violence is defined as: A crime or incident which has or may have been committed to protect or defend the honour of the family and / or the community. Honour-based violence can affect both men and women, and cuts across a number of cultures and communities. It is closely associated with domestic abuse and child protection matters.

Issues such as dress, choice of friends, relationships with members of the opposite sex and career choice among others could all impact on a family's honour and therefore lead to honour-based violence. There are many examples of how honour-based violence can impact on someone's life including being isolated from local communities, not being allowed independence, forced into marriage or under duress from their family. In every case police have a responsibility to ensure safety, whether that is by offering advice and prosecuting offenders.

There are three incidents which meet the Police Service of Northern Ireland ('PSNI') definition of an Honour Based Incident which were identified in the period 2018-2019.

Request 1 B

How many of these incidents led to criminal charges being pressed?

Request 1 C

How many of the charges referred to in question 2 resulted in convictions?"

Answers 1B and 1C

For the reasons outlined below we are withholding the information requested which is considered to be low level data and maybe identifiable.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, 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 not otherwise apparent) why the exemption applies.

The exemption, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 30 (1)(a) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of – any investigation which the public authority has a duty to conduct with a view to it being ascertained (i) whether a person should be charged with an offence – Investigations

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

Section 30 is a class based exemption which means that if the information is of the type referred to within the exemption then the exemption applies to it without any consideration of the harm. It is also a qualified exemption which means that a public interest test must be carried out and the factors in relation to this are illustrated below.

Public Interest Test

Factors favouring release- Section 30

The release of such information would provide an insight into the police service and enable the public to have better understanding of the effectiveness of the police. The release of information could allow the public to make informed decisions about police procedures and the money spent in this business area.

Factors favouring retention- Section 30

To disclose information in regard to numbers of charges / convictions could have detrimental effects which would impact on investigations. This would in turn impact on police resources and lead to more crime being committed, placing individuals at risk and an investigation or the outcome of subsequent proceedings could be compromised.

Decision

On balance the requirement to withhold information relating to any criminal investigation which may affect the outcome of any court proceedings must take precedence. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The PSNI will not divulge information if to do so would adversely affect any ongoing investigations. Whilst there is a public interest in the transparency of the law enforcement role of the Police Service and providing assurance that the PSNI is appropriately and effectively dealing with crime, there is a strong public interest in safeguarding the integrity of the police service.

The release of information under the Freedom of Information Act is a release into the public domain and not just to the individual requesting the information. Once information is disclosed by FOI there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a disclosure to the world in general.

Clarification sent to the requester:

What do you mean by 'frontline staff' Does this just refer to Police Officers or is it also to include civilian staff?

Clarification received from the requester:

Please include civilian staff also.

Request 2

From 2015 to 2019, how many officers and frontline staff (including those who take reports from victims) in your constabulary have been trained in how to respond appropriately to HBA or HBV and forced marriage victims and perpetrators? Please indicate if they have been trained to make a distinction between domestic abuse and HBA or HBV.

Please state by year:

- Year 2015
- Year 2016
- Year 2017
- Year 2018
- Year 2019

Request 3

Through what methods have they been trained (please select from below) and please provide the frequency of this specialist HBA/HBV/FM training.

- Online
- Face-to-Face
- A mixture of both
- As part of another compulsory training session, if so, please state which training course.

Answers 2 and 3

Please see below the information for the following calendar years:

- 2015 = 318 officers were trained
- 2016 = 248 officers were trained
- 2017 = 343 officers were trained
- 2018 = 395 officers were trained
- 2019 = 543 officers were trained.

All new police officers entering the PSNI will undertake the Student Officer Development Programme. During this programme, the student officers receive an input on Honour Based Violence/Abuse (HBV/HBA) during the Domestic Abuse lesson. This learning is considered with regards to well-known case studies and then developed through discussion of the subject in line with understanding risk as part of the Domestic Abuse, Stalking and Honour-Based Violence ('DASH') risk assessment.

During the Domestic Abuse lesson, there is a distinction made that Honour Based Abuse/Violence is a different form of domestic abuse. Other areas of coercive and controlling behaviours will overlap into what is considered HBV/HBA the difference in context of the motivation for the controlling behaviours is discussed in line with the two case studies.

The domestic abuse lesson is mainly face to face, accompanied by group work research and presentation from a speaker along with video inputs from multiple sources.

The aspect of forced marriage is considered during case studies during the domestic abuse lesson

and is linked in with case studies on Honour Based Violence. This lesson is 8 hours in length, but the one case study that looks at forced marriage (Banaz Mahmud) is discussed and researched by the students.

In response to Police Staff, the databases have been checked and we have not identified any other training courses solely with HBA/HBV in the course title HBV, Forced Marriage & Female GM course.

In addition to the responses provided to the above requests, there are times when it is appropriate for a police service to also neither confirm nor deny that it does hold any other information which may or may not be supplied by security bodies, this does not indicate that they do or do not hold information but rather applies where a request may in 'in the territory of national security'.

In accordance with guidance issued by the Information Commissioner's Office and available at the following link below, this ensures a consistency of responses for all police services. It may not be out with the realms of possibility that this information would be utilised or relevant to issues of national security so the application of a neither confirm nor deny exemption assists with protecting those matters. This does not indicate that PSNI does or does not hold information supplied by a security body in this case.

https://ico.org.uk/media/for-organisations/documents/1182/security_bodies_section_23_foi.pdf

Section 23(5) – Information Supplied By Or Concerning Certain Security Bodies – further information on the bodies referred to can be found in the full text of exemptions and a link is provided below.

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

'Neither Confirm nor Deny' (NCND)

There may be occasions when complying with the duty to confirm or deny under section 1(1) (a) would in itself disclose sensitive or potentially damaging information that falls under an exemption. In these circumstances, the Act allows a public authority to respond by refusing to confirm or deny whether it holds the requested information.

The decision to issue a 'neither confirm nor deny' response is not affected by whether we do or do not hold the information but relates to the consequences of confirming or denying the information is held. The starting point and main focus in most cases will be theoretical considerations about the consequences of confirming or denying that a particular type of information is held. The decision to neither confirm nor deny is separate from a decision not to disclose information and needs to be taken entirely on its own merits.

PSNI follow the Information Commissioner's Guidance in relation to 'NCND' and you may find it helpful to refer to this at the following link:

[https://ico.org.uk/media/for-organisations/documents/1166/when to refuse to confirm or deny section 1 foia.pdf](https://ico.org.uk/media/for-organisations/documents/1166/when_to_refuse_to_confirm_or_deny_section_1_foia.pdf)

Section 23 is an absolute and class-based exemption which means that the legislators have determined that there is no requirement to evidence the harm in confirming or denying information is or is not held or to conduct a public interest test.

Section 1(1) (a) of the Act requires a public authority to confirm whether it holds the information that

has been requested.

Section 23(5) provides an exemption from this duty. Section 23(5) of the FOIA states that “the duty confirm or deny does not arise if, or to the extent that, compliance with section 1(1) (a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3).”

The police service in its' fight against crime and terrorism may engage at times with the bodies listed at Section 23 of the FOIA and on occasions there may be information provided to police from one of these bodies. As advised above the decision to issue a NCND response is not affected by whether we do or do not hold the information but relates to the consequences of confirming or denying the information is held. To confirm or deny whether intelligence was used in specific investigations would undermine police services' ability to use intelligence information as an operational tool for investigating crimes including those that may have occurred historically. The NCND response is used to avoid risks caused by providing inconsistent responses to a series of similar requests where the information may originate from a number of sources and not necessarily a security body.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Corporate Information Branch, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.