



**SUFFOLK
CONSTABULARY**
Taking pride in keeping Suffolk safe

Freedom of Information Request Reference N°: FOI 003031-19

I write in connection with your request for information received by Suffolk Constabulary on the 20 August 2019 in which you sought access to the following information:

“Can you please send me the number of crimes happened in a charity shop in each of the last five financial year (2018/19, 2017/18, 2016/17, 2015/16, 2014/15)?

Can you please include the name of the charity - where possible -, the location, the type of crime and a description of what happened?”

Response to your Request

The response provided below is correct as of 18 September 2019

Suffolk Constabulary has considered your request for information and the response is below.

A search has been completed of the Constabulary's crime system for all offences recorded where the words 'charity' and 'shop' or 'store' appear in the freetext of the crime report.

The table provided within the attached spreadsheet confirms the total number of offences located using the above search parameters and includes by financial year, the offence, company name, policing district and a brief summary. Please note that freetext searches are by their very nature, unreliable, and there may be additional relevant offences not listed within the response as they do not contain the specific terms searched.

Some of the company names have been removed from the more serious offences listed so as to ensure no person can be identified from the disclosure.

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

- (a) States that fact
- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption(s);

Section 40(2) – Personal Information



Section 44(1) – Prohibitions on disclosure

Section 40 and 44 are absolute; class-based exemptions.

Information would not be released under the FOIA unless there is a strong public interest. This is because any release would breach the Principles contained within Article 5(1) of the GDPR and Part 2 of the Data Protection Act 2018.

One of the main differences between the Data Protection Act and the Freedom of Information Act is that any information released under FOI is released into the public domain, not just to the individual requesting the information. As such, any release that identifies an individual through releasing their personal data, even third party personal data, is exempted unless there is a strong public interest in its release. The public interest is not what interests the public but what benefits the community as a whole.

Personal data is defined under the Data Protection Act as data that is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life.

By law, all victims of rape and other sex crimes, including children, are automatically guaranteed anonymity for life from the moment they make a complaint that they are the victim of a sex crime. This anonymity was once given only to victims of rape however; the Sexual Offences Act 1992 extends to victims of most other sexual offences. Therefore, it is the duty of the Constabulary to ensure this anonymity is not breached by a perceived risk of identification.

Principle a of Article 5(1) states that information must be processed fairly, lawfully and in a transparent manner. In this case the individuals would have a reasonable expectation that information would not be processed if it resulted in their identification, or equally led to an individual be wrongfully identified as a suspect.

FOIA disclosures are to the world at large and will remain in the public domain indefinitely. Therefore, provision of this information would exceed the original Policing requirement for the processing of the information and would not be lawful or fair to the individuals in question.

It is for these reasons outlined above; that I feel the principle a would be breached by this disclosure and the Section 40 and 44 exemptions remain in place. I am not obliged to consider any further principle in my arguments.

This is an absolute, class-based exemption and, as such, there is no requirement to consider the public interest test.



Should you have any further queries concerning this request, please contact Clair Pack, 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/>

Suffolk 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.



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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 Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 40 working 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
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Suffolk 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 Suffolk 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