

Our Ref: 000256/15



**Freedom of Information Section**  
Nottinghamshire Police HQ  
Sherwood Lodge, Arnold  
Nottingham NG5 8PP

**Tel:** 101  
**Ext** 800 2507  
**Fax:** 0115 967 2896

10 February 2015

**Request under the Freedom of Information Act 2000 (FOIA)**

I write in connection with your request for information, which was received by Nottinghamshire Police on 14/01/2015.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

**RESPONSE**

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

Please find below answers to your questions:-

***Please could you provide us with a list of all female victims of homicide killed since September 2013 which your authority has been responsible for investigating and, for each victim:***

- the age of the victim;***
- the sex of the accused;***
- the date of the homicide;***
- the relationship between the accused and the victim; and***
- if identified, the way in which the victim was killed.***

***Please include names of the victims and the accused.***

Please see the below table of results:

Recorded Date	Victim Name	Gender	Age	How Killed	Offender Details	Victim/Offender Relationship	Link
01/09/2013	Zoe BLACK	Female	7 months	S21	S21	S21	<a href="http://www.bbc.co.uk/news/uk-england-nottinghamshire-26451438">http://www.bbc.co.uk/news/uk-england-nottinghamshire-26451438</a>
12/09/2013	Ivy ATKIN	Female	86	S30	On-going Investigation	S30	<a href="http://www.theguardian.com/uk-news/2013/aug/13/care-home-death-11-arrested-ivy-atkin">http://www.theguardian.com/uk-news/2013/aug/13/care-home-death-11-arrested-ivy-atkin</a>
02/10/2013	Patricia Dorothy WYCHERLEY	Female	63	S21	S21	S21	<a href="http://www.bbc.co.uk/news/uk-england-nottinghamshire-27836459">http://www.bbc.co.uk/news/uk-england-nottinghamshire-27836459</a> <a href="http://www.judiciary.gov.uk/wp-content/uploads/2014/06/r-v-edwards-edwards.pdf">http://www.judiciary.gov.uk/wp-content/uploads/2014/06/r-v-edwards-edwards.pdf</a>
22/04/2014	Malgorzata DANTES	Female	54	S21	S21	S21	<a href="http://www.nottinghampost.com/Man-court-charged-murdering-parents-Worksop/story-21028809-detail/story.html">http://www.nottinghampost.com/Man-court-charged-murdering-parents-Worksop/story-21028809-detail/story.html</a>
02/08/2014	Shanay WALKER	Female	7	S21	S21	S21	<a href="http://www.nottinghampost.com/Shanay-Walker-murder-trial-Pair-accused-cruelty/story-25740410-detail/story.html">http://www.nottinghampost.com/Shanay-Walker-murder-trial-Pair-accused-cruelty/story-25740410-detail/story.html</a> <a href="http://www.mirror.co.uk/news/uk-news/aunt-appears-court-accused-murdering-3993467">http://www.mirror.co.uk/news/uk-news/aunt-appears-court-accused-murdering-3993467</a>

\* Homicides consist of the following

Murder

Manslaughter

Corporate Manslaughter

Infanticide

Please Note-: This data is extracted from a live system and may be subject to change

Source-: Performance and Insight 05.02.2015

In addition, I must advise you that the following exemptions have been applied to your request:

Section 21: Information Reasonably Accessible by other means  
S30: Investigations.

Section 21 is an absolute exemption and therefore I am not obliged to consider whether the public interest lies in favour of disclosure or in maintaining the exemption. Links to information available in the public domain have been provided.

Section 30 is a class based qualified exemption and therefore, the public interest must be considered in disclosure.

### **Evidence of Harm**

In releasing information about the above incident it is possible it would have the effect of undermining any on-going and/or covert investigations as it could lead to individuals with criminal intent becoming aware of whether or not their activities have been detected and could ultimately compromise policing tactics, operations and future prosecutions.

### **Section 30 Public Interest Considerations**

#### **Factors favouring disclosure**

The Police Service is tasked with the delivery of effective law enforcement ensuring the detection and prevention of crime and the public has a right to know that Nottinghamshire Police focuses its attention and responsibility to ensuring serious criminal offences are dealt with appropriately and efficiently.

### **Factors favouring non-disclosure**

Disclosure of the information requested could lead to individuals with criminal intent becoming aware of whether or not their activities have been detected and could ultimately compromise policing tactics, operations and future prosecutions.

### **Balancing Test**

The Police Service is tasked with protecting the community we serve and solving crime and there is a public interest argument in ensuring we are open and transparent with regard to policing investigations and operations. There is no doubt that for the issue outlined above any disclosure relating to investigation information could jeopardise those important roles.

It is therefore our opinion that the balance lies in favour of non-disclosure of the information at this time.

This letter constitutes a refusal notice under Section 17 (1) of the Freedom of Information Act 2000 with Sections 21(1) and 30(2) of the act being applied.

**21.** – (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1) –

- a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2) b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

**30.** – (2) Information held by a public authority is exempt information if –

- a) it was obtained or recorded by the authority for the purposes of its functions relating to –
  - i) investigations falling within subsection (1) a) or b)

- ii) criminal proceedings which the authority has power to conduct
- iii) investigations (other than investigations falling within subsection (1) a) or b) which are conducted by the authority for any of the purposes specified in section 31 (2) and either by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under any enactment, or
- iv) civil proceedings which are brought by or on behalf of the authority and arise out of such investigations, and

b) it relates to the obtaining of information from confidential sources

### **Complaints Rights**

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

### **Copyright**

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail [freedomofinformation@Nottinghamshire.pnn.police.uk](mailto:freedomofinformation@Nottinghamshire.pnn.police.uk) quoting the above reference number.

Yours sincerely

**Disclosure Officer**

## **Are you dissatisfied with your response?**

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

### **How do I appeal?**

All appeals should be made in writing and sent to:-

Information Management  
Nottinghamshire Police  
Force Headquarters  
Sherwood Lodge  
Arnold  
Notts  
NG5 8PP

or alternatively [freedomofinformation@nottinghamshire.pnn.police.uk](mailto:freedomofinformation@nottinghamshire.pnn.police.uk)

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

## **What if I'm still not satisfied?**

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: [casework@ico.org.uk](mailto:casework@ico.org.uk)