

Our Ref: 006171/12



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

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

19 December 2012

**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 17/10/2012.

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

Please find below answers to your questions:-

**RESPONSE**

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

***A copy of Protection From Harassment Procedure PD 225.***

I am sorry to advise you that I have been unable to find this document either held as an internal document or externally published. I have established that this document was created at one time, however it was never formally published as a Nottinghamshire Police document and therefore I am unable to provide you with a copy.

***A copy of Domestic Abuse Procedure PD 084.***

Please see the attached document. This document is marked as 'Restricted' and is currently held internally within the Force and not externally published.

Parts of this document are redacted (represented by a blackened out panel) as this relates to how Nottinghamshire Police deal with the investigations into Domestic Violence and the options available to ensure the safety of the victims, their children and their families. Therefore Section 31 (1) (a)(b)(c) Law Enforcement is engaged.

As Section 31 is a qualified exemption I am required to carry out a harm and public interest test.

#### Harm for Section 31

If the information requested was disclosed, this would prejudice any future law enforcement in the prevention, investigation and detection of crimes involving domestic violence. Disclosure of information under the FOI Act is disclosure into the public domain and as such could give criminals information that could be used to avoid detection and how we deal with offenders.

#### Factors favouring disclosure Section 31

The public are entitled to know that public funds are being spent wisely and that the work in relation to Domestic Violence is proportionate to the policing work that needs to be undertaken in order to prevent, investigate and detect crime.

#### Factor favouring non-disclosure Section 31

Disclosure of the information could prejudice future law enforcement or investigations and would allow those intent on crime to understand how the police investigate these offences which could lead to them avoiding arrest and prosecution. This would affect the force's future law enforcement capabilities and would hinder the prevention and detection of crime.

#### Balance test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Whilst there is a public interest in the transparency of spending and providing assurance that the police service is conducting policing business to their best ability, there is a very strong public interest in safeguarding the integrity of police operations and investigations and bringing those responsible to justice. It is therefore our opinion that the balance lies in favour of non-disclosure of information.

This letter constitutes a refusal notice under Section 17(1) of the Freedom of Information Act with Section 31(1)(a)(b)(c) of the act being applied.

#### **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?**

If so, prior to lodging a formal complaint, you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

### **Ask to have the decision looked at again**

The quickest and easiest way to have the decision reconsidered is to telephone the case officer that is identified at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

### **Formal Independent Review**

If you are dissatisfied with the handling procedures or the decision made by Nottinghamshire Police under the Freedom of Information Act 2000, you can request an Independent Review.

Upon receipt for a review of the initial request response, an independent audit officer from Information Management will review the request and assess whether it has been satisfactorily processed in accordance with policy and procedure.

Requests for Independent Reviews requests should be made in writing to-

Force Information Manager  
Nottinghamshire Police  
Force Headquarters  
Sherwood Lodge  
Arnold  
Nottingham  
NG5 8PP

The Audit officer will record and communicate his/her decision to the information requester within 20 working days.

### **Appeals**

If the findings of the formal independent review do not meet your approval, you can register an appeal against the decision.

An investigation will then take place by the Freedom of Information officer, which will be reported and presented to the Internal Appeal Board. This will include a full account of the reasoning for or against disclosure and the application of any relevant exemptions.

The Internal Appeal Board will consist of at least a member of the Chief Officer Team, a member of the Legal Team and the Force Information Manager.

Appeals should be registered in writing to:

Freedom of Information Officer  
Nottinghamshire Police  
Force Headquarters  
Sherwood Lodge  
Arnold  
Nottingham  
NG5 8PP

Alternatively E-mail: [Freedomofinformation@nottinghamshire.pnn.police.uk](mailto:Freedomofinformation@nottinghamshire.pnn.police.uk)

Or call: 01159672507

**Applications to the Information Commissioner**

If you then remain dissatisfied, you may make an application 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 an application to the Information Commissioner, please visit their website at [www.informationcommisioner.gov.uk](http://www.informationcommisioner.gov.uk)

Alternatively, Write to:

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

Or call: 01625 545700.