

7<sup>th</sup> June 2022

**Freedom of Information Request - Reference No: 2022929**

**REQUEST HISTORY**

**Original Request (20220857) - Refused Section 12**

*I would like to request the following information under the Freedom of Information Act (FOIA) for the South Yorkshire Police Area between the months of January 1960 and December 2010, inclusive.*

- 1) The precise location (a road name plus village/town/city plus postcode) of each established homicide (including incidents of murder or manslaughter) of a female victim.*
- 2) The date of the respective incident (if not available, then the date of reporting).*
- 3) The name of the victim or victims in each homicide.*
- 4) The age of each victim at the time of the homicide.*
- 5) Whether the case remains open or is considered closed*

**Refined Request (20220929) Refused Section 12 – with advice**

*Please could you provide me with a list of unsolved/undetected murders of females in the force area from 2010 to present day, with the location and detail requirements as outlined in my original request.*

**CLARIFICATION**

*I am conducting academic research into the unsolved murders (specifically cases where no charges were brought, irrespective of the reason) of older women across the country. So any murder which did not result in a charge, for whatever reason.*

*I appreciate that you may not be able to give an address due to potential ongoing investigations, in such cases a general location would suffice for my research.*

*If you could provide the information from Dec '17 and within the parameters which you are able, as outlined above, then that would be very useful.*

**REFINED REQUEST BASED ON CLARIFICATIONS**

**All homicides of females where the outcome has not resulted in a charge since 4<sup>th</sup> December 2017 together with further details re location, name, age where possible**

**RESPONSE**

I approached our Performance Review Unit for assistance with the refined request above. An analyst within this unit has conducted a search of our Crime Management

System – Connect which records complaints or allegations of those matters which the Home Office specify should be recorded as ‘crimes’. She provided me with the raw data in response, but having reviewed this in a considerable amount of detail, I am unable to provide this to you in full:

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 exemptions apply to the disclosure of some of the requested information:

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

#### **Section 38 - Health and Safety (1)(a)**

As Section 30 and Section 38 are both class based exemptions, I am required to carry out a Public Interest Test in respect of disclosure. Although I am not required to provide evidence of harm under the Section 30 exemption, I have provided some information that demonstrates how the disclosure of information pertinent to your request may prove harmful.

#### **HARM**

It is important to state that a response to a Freedom of Information request is not just published to the requestor, but must also be considered published to the world by its possible publication on the force disclosure log. Any material provided within this response could therefore be potentially viewed by anyone who wished to see it, including the family, friends, suspect or indeed the undetected perpetrator.

I have assessed each of the records on a case by case basis to ascertain if the information requested is suitable for release. Your request asks for the name and age of the victims, date and location of the offence. Whilst the Data Protection Act only protects the personal information of living individuals, not all cases and specific details relating to each case are in the public domain. As the information relates to all female homicides where charges have not been brought, in some instances we would not wish some specific details to be released into the public domain. As indicated in my previous response, this could compromise any further lines of enquiry and the integrity of the investigation.

It is also important to mention that you have requested details relating to unsolved homicides, this was later refined to homicides where no charge has been brought. Please bear in mind that the outcome of crimes varies and whilst no charge may have been brought, there are other outcomes which indicate that a suspect has been identified but there is insufficient evidence to bring about a charge or that the offender has since died.

I am also acutely aware that release of such detailed information into the public domain is likely to cause significant upset or distress to the relatives of the victims.

#### **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 investigation material relating to the matter.
- Individuals may be reluctant to come forward and provide information if they believe that details relating to the investigation could be released, via an FOI request, whilst the 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**

I have carefully considered your request for information. 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.

I am of the opinion that the strongest reason for withholding information is that the cases identified 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 we 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 affect disclosures made by a Freedom of Information response may have upon such investigations. We would also not wish to cause any unnecessary distress to the families of the victims by a public release of information in a relatively short period of time after the offence.

Therefore, at this time, the public interest favours non-disclosure of some offences and/or specific details requested.

I am however prepared to release the following details of the remaining cases where such details are already in the public domain and which, in my opinion do not engage the exemptions above.

<b>Year</b>	<b>Town</b>	<b>Age</b>	<b>Gender</b>
2018	Doncaster	59	Female
2019	Rotherham	34	Female
2019	Doncaster	38	Female
2020	Barnsley	73	Female