

OFFICIAL



Heddlu Police

DYFED-POWYS

FOI Reference: 529/2021

Request:

- 1) Please can you give me the latest figures of reported Female Genital Mutilation your force has dealt with/knowledge of for the last six years and break it down into under 2, under 5, under 10, under 16?
- 2) Can you confirm FGM is a prosecutable offence and what offences would have been committed?
- 3) What is the Forces policy on FGM?
- 4) Please can you give details of case conferences and outcomes?

Clarification:

Clarification was sought from the applicant and the request was referring to crimes

Response 1:

I can confirm that Dyfed-Powys Police does hold the information requested, however we are withholding the information by virtue of Section 31(1)(a)(b) – Law Enforcement. (Please see the end of the document for an explanation of the applied exemption).

Response 2:

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

There are 6 offences under the Act.

- Genital mutilation of female
- Aid / abet / counsel / procure the genital mutilation of a female
- Aid abet counsel or procure a non UK citizen to mutilate the genitals of a UK female citizen overseas
- Include in a publication matter breaching anonymity of victim of female genital mutilation
- Fail to protect girl from risk of genital mutilation
- Breach a Female Genital Mutilation protection order

Response 3:

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

The FGM policy is under the heading of our other policies on the below hyperlink:

<https://www.dyfed-powys.police.uk/foi-ai/dyfed-powys-police/publication-scheme/our-policies-and-procedures2/>

Response 4:

I can confirm that Dyfed-Powys Police does hold the information requested, however we are withholding the information by virtue of Section 31(1)(a)(b) – Law Enforcement. (Please see the end of the document for an explanation of the applied exemption).

Explanation of the applied exemption:

Section 31(1)(a)(b) Law Enforcement

- (1) *Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to prejudice -*
- (a) *the prevention or detection of crime*
 - (b) *the apprehension or prosecution of offenders*

Section 31 is a prejudice based qualified exemption and as such there is a requirement to provide details of the harm as well as the public interest test.

Section 31 Evidence of Harm

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate and the applicants do not have any ulterior motives. However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over our ability to exercise our core function which is Law Enforcement.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure.

The police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Disclosure of the number of FGM crimes recorded, case conferences and outcomes would be invaluable to those with criminal intent, as this would allow offenders to be in a position to determine whether or not Dyfed-Powys Police are aware of their offending and allow them the opportunity to use this knowledge to their own advantage in furthering criminal activity around the force. If those with criminal intent were to use the information to their own advantage it would significantly impact on the core law enforcement function which is the prevention and detection of crime as well as significantly increasing the risk of harm to individuals.

Public Interest Test:

Section 31 - Considerations favouring disclosure:

Factors favouring the disclosure of this information would include better awareness, which may reduce crime or lead to more information from the public.

Section 31 - Considerations favouring non-disclosure:

Factors favouring non-disclosure would be that it would compromise law enforcement tactics and more crime could be committed. Also, the public have a high expectation that any information/intelligence provided to the police will be treated with confidence and anything that places that confidence at risk would undermine the trust that individuals have in the Police. In turn, this could potentially affect Dyfed-Powys Police's ability to prevent and detect crime, which would have an adverse effect on the safety of the communities it serves.

Balance Test

After considering the advantages and disadvantages in disclosure it falls upon Dyfed-Powys Police to conduct a balance test on the issues. The strongest arguments for release, which is better awareness which may reduce crime or lead to more information from the public, needs to be weighed against the strongest argument for non-release, which in this case is effective law enforcement. The Police Service is tasked with the prevention and detection of crime and protecting the public. Whilst there is a public interest in better awareness, there is very strong public interest in safeguarding the protection of the public and maintaining effective law enforcement.

Therefore, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

It should be noted that owing to the systems adopted by Dyfed-Powys Police in relation to the recording of such matters the information provided may or may not be accurate.

Police Forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons this Force's response to your questions should not be used for comparison purposes with any other response you may receive.

(This is a response under the Freedom of Information Act 2000 and disclosed on 16/08/21)