

Our Ref: IM-FOI-2019-2024
Date: 10 September 2019



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

The term Honour Based Violence (HBV) embraces a variety of incidents or crimes including physical abuse, sexual abuse, emotional abuse, abduction, forced marriage, imprisonment and murder, where the individual, their family or community is punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour and which could bring shame to the family or community.

Forced Marriage occurs when one or both spouses do not consent to the marriage and coercion is involved. Coercion can include physical, psychological, financial, sexual and emotional pressure, threatening conduct, harassment, threat of blackmail, use of deception and other means. To knowingly take advantage of a person's incapacity to consent to marriage may also constitute force.

Female Genital Mutilation (FGM) is one of the severest and most traumatic forms of abuse, it violates the rights of women and girls and is a crime under Scots and UK Law. Police Scotland is committed to strengthening information sharing and risk assessment in relation to FGM and, in partnership, ensuring the National Child Protection in Scotland in keeping with the National Guidance for Child Protection in Scotland (2014) is applied, which promotes early and effective intervention, support and protection. Through enhanced community engagement, we will seek to raise awareness among those at risk that FGM is illegal, and working with professionals and within communities Police Scotland will seek to influence change and end this practice.

Police Scotland is committed to thoroughly investigating every report of HBV, Forced Marriage and FGM and every person who is a victim, or potential victim, will receive protection and safety advice and be offered referral to relevant support agencies.

Police Scotland will pursue information, which may lead to identifying persons responsible for acts of HBV, persons involved in the arrangement of a Forced Marriage and persons performing, assisting or arranging FGM. Where perpetrators are identified Police Scotland will take action.

For ease of reference, your request is replicated below together with the response.

1. For the full year of 2018 (01/01/2018 - 31/12/2018) in total how many incidents did Police Scotland record of:

- a) "honour" based violence?
- b) deaths involving "honour" based violence?
- c) forced marriage?
- d) female genital mutilation?

2. If Police Scotland records any/all of a)-d) together, for the full year of 2018 (01/01/2018 - 31/12/2018) in total how many incidents of "honour" based violence, deaths involving "honour" based violence, forced marriage and female genital mutilation combined did Police Scotland record?

In terms of 'incidents' I should clarify that whilst Police Scotland has an incident management system, we are unable to interrogate it to provide the very specific information you have requested.

Nonetheless, incidents where there is a 'concern' for an individual (whether this is a protection or a wellbeing concern) are recorded on Police Scotland's interim Vulnerable Persons Database (iVPD).

On this basis the figures provided below have been obtained from this national system and provides the best indicator of incidents of HBV, FM or FGM where it is assessed there is a protection or wellbeing concern. The figures provided include all concern reports with either or all of the three markers (HBV, FM or FGM). You should note that one concern report can have more than one marker recorded against it therefore there can be duplication in terms of the number of incidents of concern referred to.

The table below shows the number of iVPD concern markers relating to FGM, FM and HBV between 01/01/2018 – 31/12/2018.

Incident Marker		Number Recorded
HBV	Honour Based Violence	152
FM	Forced Marriage	53
FGM	Female Genital Mutilation	28
	Total	233

All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 29/03/2019.

Data was extracted by selecting each individual incident marker on iVPD. Please note that each incident may also have other flags against it.

3. For the full year of 2018 (01/01/2018 - 31/12/2018) in how many cases were criminal charges brought which involved:

- a) "honour" based violence?
- b) deaths involving "honour" based violence?
- c) forced marriage?
- d) female genital mutilation?

4. If Police Scotland records any/all of a)-d) together, for the full year of 2018 (01/01/2018 - 31/12/2018) in how many cases of "honour" based violence, deaths

involving “honour” based violence, forced marriage and female genital mutilation were criminal charges brought?

I have interpreted your reference to ‘criminal charges’ to refer to ‘crimes’ and the following response is provided on that basis. For clarity, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department (SGJD) offence classification codes.

I should first advise you that there is no statutory crime of HBV in Scotland - HBV is an aggravator for other crimes of violence and therefore there is no single searchable crime code we can use to search the crime management system specifically for HBV crimes. (Please also see the table provided at Q1 and 2 above.)

Where they exist, please be advised that recorded and detected crime data is now publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

- (a) states that it holds the information,
- (b) states that it is claiming an exemption,
- (c) specifies the exemption in question and
- (d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

The information you are seeking is available on the Police Scotland website, via the following link:

www.scotland.police.uk/about-us/our-performance/

To be of assistance I can confirm the relevant SGJD codes for (011/001-Forced Marriage) and (011/007-Female Genital Mutilation) were previously searched on our systems and there were no crimes recorded between 01/01/2018 – 31/12/2018.

Should you require any further assistance please contact Information Management – Highland & Islands Divisional Headquarters on 01463 720508 quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to

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foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

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