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Our Ref: FOI2018/03830

**REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/03830**

I write in connection with your request for information received on 13th July. I note you seek access to the following information:

**I am seeking to obtain information under the Freedom of Information Act 2000, regarding cases of witness intimidation – as specified under Section 51 Criminal Justice and Public Order Act 1994.**

**I want to access data held by the Force which outlines the number of referrals, investigations and successfully prosecuted cases of witness intimidation. That is, when an attempt is made to threaten or persuade a witness not to give evidence to the police or courts, or to give evidence in a way that is favourable to the defendant.**

**As you will be aware, Section 51 Criminal Justice and Public Order Act 1994 lists two relevant offences:**

- **s.51(1) creates an offence directed at acts against a person assisting in the investigation of an offence or is a witness or potential witness or juror or potential juror whilst an investigation or trial is in progress; and**
- **s.51(2) creates an offence directed at acts against a person who assisted in an investigation of an offence or who was a witness or juror after an investigation or trial has been concluded.**

**Could you please provide the following data, broken down by year, starting from January 1st, 2014 to the date this FOI request is processed:**

- 1. Number of allegations of witness intimidation received by the police force**
- 2. Number of investigations into witness intimidation by the police force**
- 3. Number of individuals charged for witness intimidation**
- 4. Number of individuals successfully prosecuted for witness intimidation**

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

**Response**

**Q1 and Q2** – Please see the below table detailing the information you have requested.

Investigations	Offence	2014	2015	2016	2017	2018
CRIME	P.ORDER – INTIMIDATING WITNESS OR JUROR	42	74	62	98	30
CRIME	P.ORDER – THREATEN WITNESS OR JUROR	4	4	4	2	3
NO CRIME	P.ORDER – INTIMIDATING WITNESS OR JUROR	5	7	4	4	1
NO CRIME	P.ORDER – THREATEN WITNESS OR JUROR	-	-	-	1	-
<b>TOTAL</b>		<b>51</b>	<b>85</b>	<b>70</b>	<b>105</b>	<b>34</b>

*All allegations will be investigated in some way to ascertain if an offence has been committed.*

**Q3** – Please see the below table detailing the information you have requested.

Number of People Charged	2014	2015	2016	2017	2018
<b>Grand Total</b>	14	22	29	13	4

*One Person may have been charged for more than one offence, as the requester did not ask how many offences resulted with a charge this has not been supplied. Data correct at the time the data was extracted (03/08/2018). Reasons why crimes may not have resulted with a charges may include the victim was unresponsive, insufficient evidence etc.*

**Q4** – Hertfordshire Constabulary do not record prosecution data. This information is recorded by the Crown Prosecution Service, accordingly I have determined that this information is not held.

The numerical data presented in this response is an un-audited snapshot of un-published data sourced from "live" systems and is subject to the interpretation of the original request by the individual extracting the data.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson  
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.