



East London

**NHS Foundation Trust
Information Governance**

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28th November 2024

Our reference: FOI DA5620R

I am responding to your request for a further internal review under the Freedom of Information Act 2000 which was received on 5th November 2024. This was regarding our response on 5th November 2024.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

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

Tel: 0303 123 1113
Web: www.ico.org.uk

Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention



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'what matters' to everyone, achieve a better quality
of life and continuously improve our services.
We care . We respect . We are inclusive

Chief Executive Officer: Lorraine Sunduza
Chair: Eileen Taylor

Question 1: I am unsure why you are not able to supply the actual numbers requested.

I'm not sure Section 40 can apply – particularly when presumably most homicide perpetrator patients will have been convicted in public in open court, with all the attendant publicity so their identities will already be in the public domain.

Clearly homicides by patients are matters of significant public concern and greatly affect public confidence in the effective operation of public services, which, as I understand it, are both exemptions allowing the processing of personal data under GDPR. Can you tell me please how you have considered these exemptions in your consideration of my request?

As you may be aware the Supreme Court has ruled that –
“There is a difference between cases where a court or tribunal is administering the property, care or treatment of a patient in his own best interests - and cases which are concerned with the proper management of a patient who has in the past been dangerous. There is a balance to be struck. The public has a right to know... This is particularly so where notorious criminals are involved. They need to be reassured that sensible decisions are being made about them.”

As I mentioned I am not asking for personal information I am asking for statistics – in order to ascertain the trends in patient homicides in particular areas over time. Without this information the public has no way of knowing whether mental health services in East London have improved or are effective in the prevention of patient homicides in recent years.

I made similar FoI requests in 2013, 2016, and 2019 where you were able to answer in full without any apparent difficulty so I am not sure what can have changed now.

Please can I ask for a review of your decision and for the information requested to be disclosed to me.

Answer: The Trust has reviewed its previous response and has agreed that such information can now be disclosed. Please see below for requested data, which includes those suspected of committing homicide.

Year	Number of incidents concerning patients that have committed, or who are suspected of committing, a homicide
2018	1
2019	4
2020	2
2021	2
2022	2
2023	4
Grand Total	15



Original Request DA5620:

This is a Freedom of Information request for statistics about patient homicides.

By Homicide I mean murder, manslaughter, infanticide, or causing death by dangerous driving.

By Patients I mean both community and in-patients of mental health services who are either current patients or who have had contact with the trust within six months of the offence.

By suspected of committing a homicide I mean charged by the Police or found unfit to plead where legal proceedings have not yet been completed, or, where a patient has taken their own life after apparently killing someone else.

Question 1: Please can you tell me the number of your patients that have committed, or who are suspected of committing, a homicide by date, for each of the years 2018 – 2023 inclusive?

Answer: A total of 15 patients have committed or are suspected of committing homicide between 2018 and 2023 inclusive.

Section 40 for the FOI Act states:

(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.

The information you have requested relates to less than five individuals and has the potential for those individuals to be identified. The Trust is therefore unable to provide this information in a detailed breakdown of homicides per year as requested.



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