

Derby City Council – Response

ID Reference FOI343691988

Date 30/08/2024

| | |
|--|---|
| 1.How many pieces of artwork (valued over £200) does the council own? | The Council confirms it holds information that falls within the description of the request. |
| a.Of these, which pieces are on public display? | Section 31: Law Enforcement Exemption Section 31(1)(a) states: |
| 2.What is the total value of the artwork owned by the council? | 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— |
| 3.What is the value of the pieces of artwork on public display (please detail the artist and name of any pieces worth over £10,000)? | (a)the prevention or detection of crime |
| | In deciding whether this exemption applied in this case we first conducted the three stage prejudice test as set out in the Information Tribunal’s decision in the case of Christopher Martin Hogan and Oxford City Council v the Information Commissioner. |
| | The Council has taken into account the Information Commissioner Officer IC-288541-Y1D1 23/5/24 decision that S31 (1) (a) exemption applies to the information requested. |
| | Public Interest Test <u>Prejudice test</u> |
| | 1.Applicable interest within the relevant exemption |
| | In this case the request relates to the value of |



| | |
|--|--|
| | <p>the councils artworks and specific items on display.</p> <p>Disclosure of the value of the Councils artwork collection and individually identifiable works within the museum collection would compromise security and would provide criminals with the information they need to target the museum for theft, vandalism etc.</p> <p>The museum has been a victim of theft in the past and takes the security of collections seriously. Other similar institutions have been the victim of theft and/or vandalism of high profile and high value works of art and other objects. We would seek to mitigate this by not drawing attention to the value of our collections or specific works.</p> <p>Thieves steal Derby Museum artefacts worth £53,000</p> <p>Police say hoard of items, including 18th- and 19th-century watches, were taken from depot between 2 May and 19 June</p> <p><i>Press Association</i></p> <p>Fri 3 Aug 2012 00.58 BST</p> <p>Share</p> <p>A collection of coins, medals and watches worth £53,000 has been stolen from a museum's storage facility. The 1,000 artefacts from the Derby Museum and Art Gallery's city-based storage site were stolen some time between 2 May and 19 June, Derbyshire police said. none of the items have been found.</p> <p>Among the hoard is a collection of about 20 18th- and 19th-century gold and silver watches worth up to £3,000 each. These includes examples made by clockmaker and scientist John Whitehurst, who was a member of the Midlands' based Lunar Society, and a contemporary of famous Derby artist Joseph Wright.</p> <p>Coins dating back more than 800 years have also been stolen, as well as more modern coins from the early 20th century. The items were locked away and only used for exhibitions and special viewings.</p> |
|--|--|

A spokeswoman for Derbyshire police said museum staff had worked on the collection recently, but the thefts came to light only when another museum made a request to borrow some of the items.

The theft was recorded with the Metropolitan police arts crime unit as well as the Arts Council England security advisory service in the hope that the thief would try to sell them.

Meanwhile, additional security measures and procedures have been put in place at the storage facility.

Investigating officer Detective Constable Dee Hornblower said: "There has been no sign of a break-in at the premises, so the possibility that this was carried out with inside knowledge has at this stage not been ruled out. We have circulated details of the stolen items to every police force in the country in the hope that they can be traced."

Derby city council cabinet member for leisure and culture Martin Repton said: "Our ultimate fear is that some of these items which are of a relative low monetary value could potentially be discarded by the culprit or culprits, meaning that they would be lost for ever with little chance of recovery.

"We are therefore also appealing to members of the public who may have any information to contact Derbyshire police."

Anyone with information about the incident, or the whereabouts of the stolen items, should call police on 101 or Crimestoppers anonymously on 0800-555 111.

Additionally, further theft was carried out in 2017. The item that was stolen was a silver mayfly. It had been loaned to the Museum and Art Gallery in The Strand by the artist who made it and was valued at £600.

Disclosure of this information requested would provide potential criminals with the information they need to target the councils artwork for theft.

2. Causal link between the disclosure and prejudice claimed

There have been incidents of theft at the Derby museums where artwork is displayed. Therefore, we believe there is a clear causal link between disclosing information about artwork values and the prejudice to the prevention of crime. Disclosure under FOI is to the world at large and if this information were to be placed into the public domain potential criminals would likely use the information to target artworks displayed at museum for theft.

3. Likelihood of the prejudice

Thirdly we have considered the likelihood of the prejudice highlighted occurring should the information be released. We consider that it is very likely that the prevention of crime will be prejudiced should this information be released.

Firstly the information is being released into the public domain and therefore is open to a range of individuals who may have criminal intentions.

This information would be invaluable to them and could assist them in targeting artwork for theft. There have been thefts at the museum which display the artworks and knowing how much the artwork is worth would likely provide criminals with a clear incentive to use



| | |
|--|---|
| | <p>the information for criminal purposes.</p> <p>The Information Commissioner’s Office guidance on the application of section 31(1)(a) confirms that when deciding whether disclosure would prejudice the prevention or detection of crime, authorities do not have to limit their consideration to the harm that the requested information could cause on its own.</p> <p>“The exemption can take account of any harm likely to arise if someone pieced together the requested information with other information to form a broader picture. This is commonly known as the ‘mosaic effect’.”</p> <p>This means that information in the public domain about artwork storage location, museum location combined with information about specific artworks held and their value would increase the likelihood of these objects being targeted by criminals.</p> <p><u>Public Interest test</u></p> <p>Factors in favour of disclosure</p> <ul style="list-style-type: none">• It is in the public interest to be open and transparent about our use of public funds on artwork.• In addition there are also benefits to the public in releasing this information in terms of leading to a better informed public and to encourage public debate about councils artwork costs. |
|--|---|

Factors in favour of maintaining the exemption

- The museum has been a victim of theft in the past and takes the security of collections seriously. Other similar institutions have been the victim of theft and/or vandalism of high profile and high value works of art and other objects. We would seek to mitigate this by not drawing attention to the value of our collections or specific works.
- Disclosure of the value of the Councils artwork collection and individually identifiable works within the museum collection would compromise security and would provide criminals with the information they need to target the museum for theft, vandalism etc.
- There is a public interest in ensuring that councils artwork is not targeted for theft as it is paid for from public purse.
- Due to previous thefts, there is an heightened risk of theft from the city's public museum collection as well as when items are lent to other UK and international museums. The risk of the loss of culturally important artworks which would no longer be available for the public benefits of learning, enjoyment, health, and wellbeing and community cohesion.
- Because of the value of the artworks organised criminal gangs could use the information to target the museum artworks which would put the health and safety of employees at risk.

Evaluation

On balance our view is that whilst there is a



| | |
|--|---|
| | <p>public interest in this information being released there is a much stronger public interest in this information being withheld. As such we are unable to provide you with the information requested by virtue of Section 31(1)(a) Freedom of Information Act 2000.</p> |
|--|---|

Please note, the following applies, if the response includes council officers (or other officers) names.

If you are a company that intends to use the names and contact details of council officers (or other officers) provided for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference. You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

