



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-03923

Keyword: Crime

Subject: Indecent Images Grooming Offences

Request and Answer:

This is to inform you that the Police Service of Northern Ireland (PSNI) has now completed its search for the information you requested and the answers to your questions are as follows.

Question

I require this under the Freedom of Information Act (2000). I would be most grateful if you could supply details of the number of cases dealt with by your force from 2005-2009 in the following categories:

- a) Cases involving indecent images of children
- b) Cases involving grooming offences online

Answer

The PSNI Central Statistics Unit and Public Protection Unit have provided the following information in response to your request.

The number of indecent image offences are shown in the table below

Recorded sexual offences

Northern Ireland

	Indecent Photographs Etc
2005	38
2006	59
2007	40
2008	69
1st Jan-30th Nov 2009 ¹	40

Source: Central Statistics Unit, PSNI

¹ Figures from 1st April 2009 are provisional and may be subject to change

With regard to question b) the Public Protection Unit have advised that there have been **6 cases** involving grooming offences on line from 01/01/05 to 30/11/09.

The Police Service of Northern Ireland can neither confirm nor deny that it holds any other information with regard to Operation Ore as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 23(5) Information Supplied by, or concerning, certain Security Bodies
Section 30(3) Investigations
Section 31(3) Law Enforcement
Section 38(2) Health and Safety
Section 40(5) Personal Information
Section 44(2) Prohibitions on Disclosure

Sections 23, 40 and 44 are class based absolute exemptions and there is no requirement to consider the public interest test in this area.

Section 30 is a class based qualified exemption and consideration must be given as to whether there is a public interest in neither confirming nor denying the information exists is the appropriate response.

With Sections 31 and 38 being prejudice based qualified exemptions there is a requirement to articulate the harm that would be caused in confirming or not that the information is held as well as carrying out a public interest test.

Harm in Confirming or Denying that the Information is held

Disclosures under the Freedom of Information Act are disclosures to the world, not just to the individual making the request. To confirm that any other information relating to Operation Ore is held in relation to these questions, even if that information was exempted, or to confirm no information is held, would provide intelligence to criminals about the status of police investigations in relation to child pornography and those who may or may not be involved in specific operations.

Public Interest Considerations

Section 30 and Section 31

Factors favouring Disclosure

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve and there is a public interest in the transparency of policing operations to ensure investigations are conducted appropriately.

Factors favouring Non-Disclosure

Modern-day policing is intelligence led and the Police Service share information other law enforcement agencies as part of their intelligence gathering process. To confirm or not whether information relating to Operation Ore is held by the Police Service of Northern Ireland would hinder the prevention and detection of crime and undermine the partnership approach to investigations and law enforcement.

Section 38

Factors favouring Disclosure

Confirmation as to whether the information is or isn't held could provide a better awareness to the

general public that the use of police funds is being dealt with appropriately.

Factors favouring Non-Disclosure

The Police Service will never confirm whether or not information is held if to do so could jeopardise the risk of an individual or undermine public confidence in the Police Service of Northern Ireland's ability to protect the wellbeing of the community.

Balancing Test

Irrespective of whether information is or isn't held, public safety and the ability to deliver effective law enforcement is of paramount importance to the Police Service. Confirmation or denial of whether information is held would undoubtedly compromise both law enforcement and health of safety of an individual. Therefore, at this moment in time, it is our opinion that for these issues the balancing test for confirming whether or not any other information is held by the Police Service of Northern Ireland is not made out.

No inference can be taken from this refusal that the information you have requested does or does not exist.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.