



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2009-03568

**Keyword:** Operational Policing

**Subject:** ACTIVITIES RELATING TO PROSTITUTION IN F DISTRICT

### Request and Answer:

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

#### Question 1

I am writing to request any information and figures available to do with activities relating to prostitution in F-District, specifically in Dungannon, Coalisland and Clogher Valley sectors: Have there been any cautions or sanctions for this anti-social behaviour in F-District, Dungannon Sector or Clogher Valley?

#### Answer

No there has not been any cautions or sanctions for this anti-social behaviour in F District.

#### Question 2

Are there any figures available as to how many people are taking part in prostitution both in Co. Tyrone and in the above sectors?

#### Answer

Searches were conducted however these searches failed to locate any records or documents relevant to your request in question 2. Accordingly, I have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

#### Question 3

Have there been any arrests or prosecutions for kerb-crawling, pimping or keeping a brothel in F-District? If so where?

#### Answer

No there have not been any arrests or prosecutions for kerb-crawling, pimping or keeping a brothel in F-District.

#### Question 4

Is there any information available about how much money prostitutes/escorts can charge for sex?

**Answer**

Searches were conducted however these searches failed to locate any records or documents relevant to your request in question 4. Accordingly, I have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

**Question 5**

Have there been any underage prosecutions for prostitution?

**Answer**

No there has not been any underage prosecutions for prostitution in F-District.

**Question 6**

Have there been any arrests or charges on suspicion of inciting child prostitution in Dungannon/Clogher Valley?

**Answer**

No there has not been any arrests or charges on suspicion of inciting child prostitution in Dungannon/Clogher Valley.

**Question 7**

Are there any figures pertaining to people trafficking in the area?

**Answer**

No there are not any figures pertaining to people trafficking in the area.

In accordance with the Act, this letter represents a Refusal Notice for any further information that may or may not be held in relation to this particular request. Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at S1 (1)(a) is to confirm or deny whether the information specified in the request is held. The second duty at S1 (1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon section 17, FOIA requires that we provide the applicant with a notice which a) states that fact, b) specifies the exemption(s) in question and c) states (if it would not otherwise be apparent) why the exemption applies.

The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds any further information relevant to Human Trafficking, 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 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 in this area.

Section 30 is a class based qualified exemption and there is a requirement to consider the public interest in disclosure.

Sections 31 and 38 are prejudice based qualified exemptions and there is a requirement to articulate the harm (prejudice) that would be caused in confirming or not that the information is held as well as considering the public interest to ensure neither confirming nor denying that any other information is held relating to Operation Pentameter is the appropriate response.

## **Harm and Public Interest Considerations**

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Modern-day policing is intelligence led and the Police Service share information with other law enforcement agencies as part of the intelligence gathering process. Operation Pentameter 2 is a national operation run in conjunction with agencies such as the Serious and Organised Crime Agency in order to rescue and protect victims of human trafficking for sexual exploitation.

Irrespective of whether information is or isn't held, the Police Service will never confirm policing activity by citing exemptions or stating 'no information held' which could reveal investigative activity enabling individuals to geographically map where Pentameter 2 is currently active. Such a confirmation could undermine the partnership approach of information sharing.

Irrespective of whether information does or does not exist identifying current investigative activity would provide transparency into the use of public funds by revealing that the Police Service are actively targeting this human trafficking which leads to sexual exploitation. However this has to be balanced against the evidence of whether there is a significant risk to the physical or mental health of an individual or individuals.

Offenders who actively deal in trafficking vulnerable individuals into this country will stop at nothing to carry on with their offending behaviour. One such case involved a 16 year old girl who was trafficked into the UK from Slovakia in September 2006. She was raped, assaulted, threatened with a gun and forced to work as a prostitute.

She managed to escape although was tracked down by her pimp who forced his way into the flat where she was staying, knocking her head against a wall and kicked her in the ribs.

Three individuals were arrested for these offences and appeared at Southwark Crown Court, found guilty and sentenced to terms of imprisonment. See below link for full details:

[http://cms.met.police.uk/news/convictions/members\\_of\\_human\\_trafficking\\_networks\\_jailed](http://cms.met.police.uk/news/convictions/members_of_human_trafficking_networks_jailed)

## **Balancing Test**

The delivery of effective law enforcement and public safety is of paramount importance and the Police Service will not divulge whether information is or isn't held if to do so would place the safety of an individual at risk or compromise effective law enforcement. Therefore, at this moment in time, it is our opinion that for these issues the balancing test for confirming that you hold any other information relating to Operation Pentameter is or isn't held. **No inference can be taken from this refusal that any further information in relation to what you have requested does or does not exist.**

It may assist you to know that statistical information regarding the number of convictions and prosecutions can be found on the web site of the United Kingdom Human Trafficking Centre.

<http://www.ukhtc.org/about-ukhtc#Research>

The latest data for Pentameter 2 is at the following link.

[http://www.ukhtc.org/sites/default/files/UKHTC\\_UKP2\\_stats\\_not\\_protectively\\_marked.pdf](http://www.ukhtc.org/sites/default/files/UKHTC_UKP2_stats_not_protectively_marked.pdf)

The above website gives the national statistics released in February this year for the operational phase of Pentameter 2.

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](mailto: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](http://www.psni.police.uk)

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