



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-01154

Keyword: Operational Policing

Subject: Child Sex Grooming

Request and Answer:

Question 1

How many cases of child sex grooming are police currently investigating?

Question 2

Please give age of youngest child

Question 3

How many relate to the internet?

Question 4

How many relate to other circumstances like meeting in park/street etc social circumstances.

Answer

In accordance with the Act, this letter represents a Refusal Notice for this particular request. The Police Service of Northern Ireland (PSNI) can neither confirm nor deny that it holds the information you have requested.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in the request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

Where exemptions are relied upon Section 17 of 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 that would not otherwise be apparent) why the exemption applies.

The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds the information relevant to your request 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 23 is a class based absolute exemption 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 Section 31 being prejudice based and qualified 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

To confirm to the world whether or not the PSNI currently have any ongoing child sex grooming investigations would reveal investigative activity relating to these sensitive investigations.

It is publicly acknowledged that the Child Exploitation and Online Protection (CEOP) Centre focus on eradicating the sexual abuse of children either directly or in partnership with local and international forces.

CEOPS falls under the remit of the Serious Organised Crime Agency which is an exempt body as detailed within Section 23(3). Confirming or denying the existence of whether information is held which relates to CEOPS investigations does not arise if compliance with s1(1)(a) would involve the disclosure of any information which was directly or indirectly supplied to the public authority by, or relates to, CEOPS.

Public Interest Test

Section 30 and Section 31

Factors favouring confirmation or denial

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 against confirmation or denial

Modern-day policing is intelligence led and the Police Service share information with other law enforcement agencies as part of their intelligence gathering process. To confirm or not whether the PSNI hold any information relating to any current grooming investigations which may or may not be taking place would hinder the prevention and detection of crime and undermine the partnership approach to investigations and law enforcement.

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 and 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 information is held by PSNI 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.