



FREEDOM OF INFORMATION REQUEST



Request Number: F-2016-00528

Keyword: Crime

Subject: Offences Relating to Positions of Trust

Request and Answer:

Question

Ref F-2016-00214:

I would like to refine the request as you have suggested to bring it under the appropriate limit.

Please provide information on offences relating to 'Positions of Trust' in Northern Ireland, under the 'Sexual Offences (NI) Order 2008'. Specifically:

1. 'Sexual activity with child under 18 years abuse of trust'
2. 'Sexual activity with a child by a person in position of trust'
3. 'Inciting sexual activity by a child by person in trust'
4. 'Abuse of position of trust: causing or inciting a child to engage in sexual activity'
5. 'Causing or inciting a child under 18 to engage in sexual activity – abuse of trust'
6. 'Causing a child under 18 to watch a sexual act – abuse of trust'.

For the offences listed above, please provide the numbers of crimes that have taken place. If possible I would like a breakdown of:

Question 1

The total number of reports made to your force.

Answer

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

Searches conducted by the relevant PSNI record keeper found that, for those offences listed in your question above, 211 such incidents have been reported to and investigated by the PSNI between 2010 and 2015. Please note that this relates to the time period when the offence was reported to the PSNI however the offence itself may have been historical in nature and so may not have taken place between the years 2010 and 2015.

Please Note: It has been brought to our attention by the record keeper that the information provided in your previous response was erroneous as both the 'Sexual Offences Act 2003' and the 'Sexual

Offences (NI) Order 2008' are in effect within Northern Ireland and so to be of retrieve all relevant information the searches performed by the PSNI record keeper include any of the offences listed above, whether it relates to the 'Sexual Offences Act 2003' or the 'Sexual Offences (NI) Order 2008'.

Question 2

The total number of individuals arrested by your force.

Answer

Between 2010 and 2015, 42 individuals were arrested in relation to the offences listed above and a breakdown of these arrests is provided in the table below.

Table 1. Arrests for abuse of position of trust offences (2010-2015)

Offence Type	2010	2011	2012	2013	2014	2015
Sexual Activity with a Child by a Person in Position of Trust	1	1	0	1	1	0
Sexual Activity with Child Under 18 years Abuse of Trust	0	1	0	1	0	0
Abuse of Position of Trust: Causing or Inciting a Child to Engage in Sexual Activity'	0	1	0	0	0	0
Causing or Inciting a Child Under 18 to Engage in Sexual Activity – Abuse of Trust'	0	8	5	4	5	6
Causing a Child Under 18 to Watch a Sexual Act – Abuse of Trust'	1	3	2	1	0	0
Total	2	14	7	7	6	6

Note: This information has been extracted from a live system and may not provide the complete information for this request as incidents reported to the PSNI may still be under investigation and may result in future charges.

Question 3

The total number of individuals charged by your force.

Answer

Searches by the record keeper has identified that, between 2010 and 2015, 11 charges were made in relation to the abuse of trust offences and a breakdown of these charges is provided in the table below.

Table 2. Number of Charges for abuse of position of trust offences (2010-2015)

Offence Type	Year				
	2011	2012	2013	2014	2015
Causing a Child Under 18 to Watch a Sexual Act – Abuse of Trust	1	1	1	0	0
Causing or Inciting a Child Under 18 to Engage in Sexual Activity – Abuse of Trust	1	3	1	3	0

Note: The data has been extracted from the recorded crime dataset where the date of report of an abuse of position of trust offence was recorded from 1 January 2010 – 31 December 2015. Please note according to the Home Office Counting Rules the classification of Abuse of Position of Trust should only be recorded when the victim is aged 16 or 17 years old, for children younger than 16 then the appropriate rape or sexual assault classification should be used. Therefore the recorded crime figures would not be a complete count of all instances of abuse of position of trust and Statistics Branch would not be able to identify those instances where the victim is under 16. This information has been extracted from a live system and may not provide the complete information for this request as incidents reported to the PSNI may still be under investigation and may result in future charges.

Question 4

The total number of individuals convicted.

Answer

No convictions have been made in relation to 'abuse of trust' offences listed above. Please note that those incidents which were initially reported to the PSNI may have resulted in a conviction but not under the 'abuse of trust' offences outlined above. The Home Office Counting Rules (the guidance that is used to identify how crimes should be recorded) specify that the classification of Abuse of Position of Trust should only be recorded when the victim is aged 16 or 17 years old. Therefore if after the incident is reported it becomes clear that it relates to an individual younger than 16 years of age then the incident will be re-classified to the appropriate rape or sexual assault classification which should be used.

Question 5

Of those convicted, all information held on the sentences given.

Answer

No information held to answer this question, please see answer to question 4 above.

Question 6

If it is still possible within the cost limits, please break the totals down by age of victim (however, if this information is not retrievable without undertaking a manual search through individual case records, please disregard this section of the request).

Answer

The record keeper has informed us that to retrieve the ages of each victim of the incidents which were reported to the PSNI would require a manual examination of each incident and in accordance with your FOI request this question has been disregarded.

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.psnipolice.uk

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