



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-01856

Keyword: Crime

Subject: Child Sexual Exploitation (CSE) Investigations

Request and Answer:

Your request for information below has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) I can confirm that the Police Service of Northern Ireland does hold the information you have requested however it is estimated that the cost of complying with your request for information would exceed the “appropriate costs limit” under Section 12(1) of the Freedom of Information Act 2000.

Request 1

I would like to receive information regarding child sexual exploitation (CSE) investigations since 2003, specifically:

Could you provide a list of police ‘Operations’ with their codenames i.e. ‘Operation Sanctuary’ carried out by the force since 2003?

Request 2

Please indicate the dates between which the operation ran.

Request 3

Please provide a summary of the outcome of the operation including the number of convictions under Sexual Offences Act 2003 as a result of the operation. If possible, could you indicate whether convictions were made under S14,15 or 15A of the SOA 2003.

Answers

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the “appropriate costs limit” under Section 12(1) of the Freedom of Information Act 2000. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to either comply with the request in its entirety or confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The ‘appropriate limit’ is currently £600 for central government and £450 for all other public authorities including PSNI. The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees)

Regulation 2004 SI 2004 No 3244. These are known as the 'Fees Regulations' for brevity.

Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations PSNI can calculate the time spent on each of these permitted activities at £25 per hour (thus if the activity(s) takes more than 18 hours PSNI will be in excess of the 'appropriate limit').

I contacted the relevant PSNI Department and they have advised that the information is held in both a manual and electronic format. The information is not recorded in a retrievable format and therefore to provide the information would require going through every investigation from 2003. A search was carried out for a previous FOI request and it established that between September 2016 and August 2017 – for the offences of Rape and Sexual assault of a child and Sexual Activity with a child, alone, there are a total of 924 offences. To complete a full trawl we would need to manually identify all known occurrence and then subdivide those that potentially involve children and sexual offences. We would be unable to complete a full trawl as it would be difficult to identify all potential occurrences as the breakdown on offences by age only was available from 2007 onwards. The CSE classification on NICHE only was available over the last 18 months. The main issue is we are unable to clearly state the number of offences we need to manually trawl and to do so would be well in excess of the FOI legislative cost of 18 hours.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit and it may be possible to provide information regarding child sexual exploitation (CSE) police operations from 2013, however submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

If you have any queries regarding your request or this 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.