



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-01430

Keyword: Crime

Subject: Paedophile Hunters

Request and 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 and this is being provided to you. We further consider that some information you seek is exempt by virtue of Section 30 (1)(a) of the FOIA and have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

Request 1

I am writing to you under the Freedom of Information Act 2000 to request the following information about so-called Paedophile Hunters. This request is for the time period starting from January 2015 up until the most recent date you hold records to.

Clarification received: Further to my FOI sent yesterday 13.06.2018 re the above subject. Can I ask that when searching any systems a search all also made for any Paedophile Hunters groups known to your force as searching just the for the term Paedophile Hunter may not bring up any results, as some incidents may have been reported by a group.

How many incidents in relation to the offences listed below were recorded by your force where some or all of the evidence was supplied by so-called Paedophile Hunters?

Request 2

How many of those incidents were subsequently acted on and recorded as a crime and how many resulted in a person being prosecuted.

Offences in relation to:

- 18 or over attempt to cause / incite a girl 13 to 15 to engage in sexual activity - no penetration
- Attempt to cause / incite a boy 13 to 15 to engage in sexual activity - offender 18 or over - penetration
- Attempt to cause / incite a boy aged 13 to 15 to engage in a penetrative sexual activity - offender aged under 18
- Attempt to cause / incite a boy under 13 to engage in sexual activity - no penetration
- Attempt to cause / incite a female child aged under 13 to engage in sexual activity - no penetration
- Attempt to cause / incite a female child under 13 to engage in sexual activity - offender 18 or

over - penetration

- Attempt to cause / incite a girl 13 to 15 to engage in sexual activity - offender 18 or over - penetration
- Attempt to cause / incite a girl aged 13 to 15 to engage in a penetrative sexual activity - offender aged under 18
- Offender 18 or over attempt to cause / incite a boy under 13 to engage in sexual activity - no penetration
- Offender under 18 attempt to cause / incite a girl 13 to 15 to engage in sexual activity - no penetration
- Cause a child aged 13 to 15 to watch / look at an image of sexual activity - offender 18 or over
- Offender 18 or over attempt to cause a child aged 13 to 15 to watch / look at an image of sexual activity
- Offender 18 or over cause a child under 13 to watch / look at an image of sexual activity
- Adult attempt to meet a boy under 16 years of age following grooming
- Adult attempt to meet a girl under 16 years of age following grooming

Please could you respond in tabular form, listing the year horizontally and the number of incidents and convictions vertically.

E.g.

	2015	2016	2017	2018
Incidents reported	27	33	22	76
Incidents acted on	20	23	17	20
Number of convictions	19	20	15	18

Answer

In response to Request 1 & part of Request 2, please see the table below:

	2015	2016	2017	2018
Incidents reported	0	0	69	69
Incidents acted on	0	0	64	63

Request 3

How many of those acted upon led to convictions?

Answer

In response to the prosecution and conviction aspect of Request 2 and 3, the following response and rationale is provided.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemption, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 30(1)(a) – Investigations and Proceedings Conducted by Public Authorities – Information held by a public authority is exempt information if it has at any time been held by the

authority for the purposes of

(a) Any investigation which the public authority has a duty to conduct with a view to it being ascertained (i) whether a person should be charged with an offence, or (ii) whether a person charged with an offence is guilty of it.

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

Section 30 is a class based exemption which means that if the information is of the type referred to within the exemption then the exemption applies to it without any consideration of the harm. It is also a qualified exemption which means that a public interest test must be carried out and the factors in relation to this are illustrated below.

Public Interest Test

Factors Favouring Release – Section 30

Disclosure would assist in demonstrating that PSNI are conducting thorough investigations and public funds are being used responsibly. There is much public interest in ensuring that investigations are undertaken professionally and rigorously and disclosure could promote public trust in providing transparency, openness and accountability.

Factors Favouring Retention – Section 30

Investigations are ongoing and the release of information at this time could compromise and undermine these investigations, thus hindering the course of justice. An investigation may be prejudiced by premature release of information resulting in loss of evidence or alerting a suspect. Also, disclosure could infringe on a suspect's right to a fair trial and also the rights of the victims if a prosecution were to fail due to disclosure of the information.

It is the NPCC's (National Police Chiefs' Council) approach that information relating to an investigation will rarely be disclosed under the provisions of the Freedom of Information Act. Whilst information may be released if it provides a tangible community benefit, for example to prevent or detect crime or to protect life or property, it is hard to see how the information here will do so.

Decision

It could be argued that there is a public interest in the transparency of investigations carried out by the police to ensure they are being conducted appropriately and in line with current investigative guidelines. However, the Police Service has a duty of care to all individuals involved in any investigation and will not disclose information which could compromise an investigation.

A disclosure under the FOI Act is a release of information to the world in general and not just to the individual requesting the information, as once information is disclosed by FOI there is no control or limits as to who or how the information is shared with other individuals.

All this means that, at this time, it would not be in the public interest to release the information requested.

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.