



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-02974

Keyword: Operational Policing

Subject: Vietnamese Children Arrested

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 some information to which your request relates and this is being provided to you. We further consider the information you seek in request numbers three and six are exempt by virtue of section 23 of 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 would like to know the following information under the Freedom of Information Act for every annual year from 2012 to date in 2018:
 How many Vietnamese children (under 18) were arrested by your force?

Answer

There was one under 18 year old with Vietnamese nationality arrested by the PSNI in 2013.

Request 2

What were these Vietnamese children arrested for? (Please provide as much detail as possible, at the very least, please would you summarise the nature of the crime in a couple of words. For example: “drug related offences”)

Answer

The under 18 year old was arrested¹ for illegal entry to the United Kingdom.

Request 4

How many Vietnamese adults were arrested by your force?

Answer

The following is the number of persons (aged 18 and over) arrested^{1,2} with Vietnamese nationality;

Year	2012	2013	2014	2015	2016	2017	2018
Number	2	7	11	3	1	12	2

¹ The data has been extracted where a person has been arrested and processed in police custody with a nationality of Vietnam, this will not include persons arrested and street bailed or those dealt

with by other means e.g. community resolution, penalty notice of disorder etc. will not be included in the figures .

² Number of individuals arrested during the time period January 2012 to date - 38

Request 5

What were these Vietnamese adults arrested for? (Please provide as much detail as possible, at the very least, please would you summarise the nature of the crime in a couple of words. For example: “drugs-related offences”)

Answer

The majority of the offences were drug related, followed by immigration and driving related offences.

This information was provided by the PSNI Central Statistics Unit.

Request 3

How many of these arrested Vietnamese children were identified as potential victims of trafficking by your force and then referred to the National Referral Mechanism?

Request 6

How many of these arrested Vietnamese adults were identified as potential victims of trafficking by your force and then referred to the National Referral Mechanism?

Answer

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.

Section 23(1) - Information supplied by, or relating to, bodies dealing with security matters –

Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

Section 23 is a class based, absolute exemption, which means there is no requirement to articulate any public interest considerations or for the disclosure to prejudice the work of any of the bodies it covers in anyway. To engage section 23 (1), the requested information simply has to have been supplied directly or indirectly by one of the named security bodies, or relate to one of those bodies.

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.

The exemption captures information supplied directly by a security body and information originating from a security body that is provided by a third party. In this way the exemption can protect intelligence as it is disseminated through different channels.

The exemption is also engaged where information “relates to” a security body. The term “relates to” is interpreted widely and includes any information concerning or linked to the activities of a security body.

The police service may engage at times with the bodies listed at Section 23 of the FOIA and on occasions there may be information provided to police from one of these bodies. In this case

PSNI considers the information you have requested is absolutely exempt from the Freedom of Information Act by virtue of the exemption provided by section 23 (1) of the FOIA.

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.