



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2021-01875

**Keyword:** Crime

**Subject:** Child Abduction Statistics 2018-2021

### 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) we 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. We have explained to you below that when PSNI estimates whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if certain conditions are met. In this case those conditions are met and complying with all of your requests would in our estimation exceed that appropriate limit set out in Regulation. We have explained this further below but also we followed the Information Commissioner’s Office guidance ‘*Requests where the cost of compliance exceeds the appropriate limit*’ in relation to this request, which also provides further detail on the application of section 12 (1) of the FOIA. This guidance is available on the ICO website at the following link:

[https://ico.org.uk/media/for-organisations/documents/1199/costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)

You requested the following information from PSNI:

#### Request 1

Year on Year between 2018 to 2021 - for the whole year to date. How many children have allegedly been “abducted” by parents or close family members?

#### Request 2

Year on Year between 2018 to 2021 - for the whole year to date. How many persons have been charged with offences relating to Child Abduction offences?

#### Request 3

Year on Year between 2018 to 2021 - for the whole year to date. How many persons have been investigated for offences relating to Child Abduction offences in relation to close family members?

#### Request 4

Year on Year between 2018 to 2021 - for the whole year to date please provide a break down by gender the persons charges with such offences.

### **Request 5**

Year on Year between 2018 to 2021 - for the whole year to date. Please provide numbers of current and concluded criminal cases in relation to these alleged "Abductions" and the outcomes of those cases.

### **Request 6**

Year on Year between 2018 to 2021 - for the whole year to date. Please provide a breakdown by age of the children who have allegedly been "abducted".

### **Request 7**

Year on Year between 2018 to 2021 - for the whole year to date. Please provide a breakdown of the local authorities involved in these cases.

### **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').

When a public authority is estimating whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if the conditions laid out in Regulation 5 of the Fees Regulations can be satisfied. Those conditions require the requests to be:

- made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;
- made for the same or similar information; and
- received by the public authority within any period of 60 consecutive working days.

Regulation 5(2) of the Fees Regulations requires that the requests which are to be aggregated relate "to any extent" to the same or similar information. This is quite a wide test but public authorities should still ensure that the requests meet this requirement.

For your information, the ICO Guidelines state, “ A Public Authority is not obliged to search for, or compile **some** of the requested information before refusing a request that it estimates will exceed the appropriate limit ...” Therefore, PSNI is not obliged to search up to the appropriate limit.

Enquiries made in relation to your request has identified that retrieval of information would exceed the FOI legislative cost of 18 hours as set by the Secretary of State. To respond to Request numbers 1 and 3 whilst the information is recorded electronically on the PSNI database, the records will require a manual search. Whilst the ‘relationship’ details are completed on the system, other records are incomplete and have been left ‘blank’, therefore to respond to these requests would require a manual review of each individual record and / or additional reports attached to the incident. In Request number 3 there are in excess of 143 records which are incomplete and to ascertain if the person could be a ‘family member’ it would require a review of each record and allowing a conservative 10 minutes for each it would take around 11 hours. In addition in Request 5 there are a total of 76 incomplete records and this is estimated to take 5 minutes per record giving estimated at 6 hours to establish the status of each case. Therefore to respond to all your requests puts the request over the FOI cost threshold.

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.

### **Advice and Assistance**

Under Section 16 of the FOIA, PSNI will always try to assist you to refine your request and provide advice where we can. PSNI has considered how your request may be refined to bring it under the appropriate limit.

In our clarification we have interpreted a “close family member” to refer to the definition provided by the [Home Office Counting rules s13/1](#) in respect to child abduction by a parent.

- Requests 1 – These statistics will only include substantive offences, where the offence was 'child abduction by other' or 'abduction of children in care', and would be records identified through a field indicating the relationship between victim and suspect. Figures would be for the period January –August 2021 and are provisional and will be subject to change.
- Requests 2 and 4 – Please note that the figures will cover all abduction offences - substantive and attempts, and regardless of the relationship between victim and suspect (i.e. they are not limited to parent or close family member).
- Requests 6 - Please note that the figures in response to this request will cover all abduction offences - substantive and attempts, and regardless of the relationship between victim and suspect (i.e. they are not limited to parent or close family member). The age would be provided in bands as follows; 0-4, 5-9, 10-14, 15-17. Figures would be for the period January –August 2021 and are provisional and will be subject to change.
- Request 7 – This information would be provided by the 11 Policing District (analogous to local Government District and will not provide any local authorities. Please note that the figures in response to this question will cover all abduction offences - substantive and attempts, and regardless of the relationship between victim and suspect (i.e. they are not limited to parent or close family member). Figures would be for the period January –August 2021 and are provisional and will be subject to change. Please also note that due to low level data there will be a number of statistics that will incur FOI exemptions.

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 Corporate Information Branch, 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 Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto: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.psnj.police.uk](http://www.psnj.police.uk)

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