



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2021-02293

**Keyword:** Crime

**Subject:** Modern Slavery/Trafficking of Children

### 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:

### Clarification Sought

2. The total number of looked after children in the care of your authority:
  - a. Identified or suspected as having been trafficked/victim of modern slavery and that have gone missing or absent.
  - b. Identified as an UASC or separated child and that have gone missing or absent.
  - c. Identified as being a victim of exploitation and that have gone missing or absent -
3. The total number of individual incidents (which could involve the same child on more than one occasion) of looked after children in the care of your authority:
  - a. Identified or suspected as having been trafficked/victim of modern slavery and that have gone missing or absent.
  - b. Identified as an UASC or separated child and that have gone missing or absent.
  - c. Identified as being a victim of exploitation and that have gone missing or absent
4. The total number of looked after children in the care of your authority that are still missing or absent (including those that subsequently turned 18 without being found) that were identified or suspected as having been trafficked or identified as an UASC or separated child.

Exploitation is very broad can you advise if this means CSE or restricted to the trafficking aspect? Also could you please clarify what you mean by 'Children looked after by your force'. Children are looked after by health and social care. The police ensure safeguarding , investigate offences etc., but we are not deemed their careers.

Exploitation is very broad can you advise if this means CSE or restricted to the trafficking aspect?

### **Clarification received**

Exploitation is very broad can you advise if this means CSE or restricted to the trafficking aspect?

For response 2 and 3 (c) please provide the number of children exploited for any purpose including Child Sexual Exploitation and Child Criminal Exploitation but not necessarily trafficked .

Also could you please clarify what you mean by 'Children looked after by your force'. Children are looked after by health and social care. The police ensure safeguarding , investigate offences etc., but we are not deemed their careers.

Our apologies, this was a mistake and intended to read as children known to your force.

Please release the following information relating to looked after children in the care of your authority for the periods:

- 1 January 2018 to 31 December 2018
- 1 January 2019 to 31 December 2019
- 1 January 2020 to 31 December 2020

### **Request 1**

The total number of looked after children in the care of your authority that have:

- a. Identified as having been trafficked or a victim of modern slavery – including, but not limited to those identified through the National Referral Mechanism.
- b. Suspected of having been a victim of trafficking or modern slavery, if not included in a.
- c. Identified as an unaccompanied asylum seeking child (UASC) or a separated child
- d. Identified as being a victim of exploitation

### **Request 2**

The total number of looked after children in the care of your authority:

- a. Identified or suspected as having been trafficked/victim of modern slavery and that have gone missing or absent.
- b. Identified as an UASC or separated child and that have gone missing or absent.
- c. Identified as being a victim of exploitation and that have gone missing or absent

### **Request 3**

The total number of individual incidents (which could involve the same child on more than one occasion) of looked after children in the care of your authority:

- a. Identified or suspected as having been trafficked/victim of modern slavery and that have gone missing or absent.
- b. Identified as an UASC or separated child and that have gone missing or absent.
- c. Identified as being a victim of exploitation and that have gone missing or absent

### **Request 4**

The total number of looked after children in the care of your authority that are still missing or absent (including those that subsequently turned 18 without being found) that were identified or suspected as having been trafficked or identified as an UASC or separated child.

## Request 5

For all of the above please provide a breakdown of these numbers by year and nationality of the child (e.g. British, Vietnamese, etc.) If identification is a concern due to small numbers involved, please give the total figures and specify whether the child is British / an EU national / non EU national. For Q3 & Q4, please add the length of time the child was missing during each incident.

## Answer

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.

The Record Owner has advised that 'Unaccompanied Asylum Seeking Children (UASC) or separated child' and 'victim of exploitation' are not searchable criteria within the PSNI computer systems, therefore a manual trawl of all missing children reports would need to be conducted. There are generally around 5000 reports of missing children each year, and conservatively estimating 5 minutes to review and establish the requested details would take around 416 hours, which is over

cost.

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 and we can provide the following information, however on this occasion due to the PSNI recording system we are unable to offer you any refinement for your request.

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.

### **Partial Neither Confirm Nor Deny (NCND)**

The PSNI can neither confirm nor deny that it holds any other information relevant to this request, as the duty in s1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of s23(5) Information supplied by or concerning certain Security Bodies.

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case. Confirming or denying the existence of whether any other information is held would contravene the constrictions laid out within s23 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies

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 remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, 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', or use the ICO self-service portal available at [www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/](http://www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/)

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 their 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](http://www.psni.police.uk)

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