



FREEDOM OF INFORMATION REQUEST



Request Number: FOI-2022-02914

Keyword: Crime/Incident Statistics Sexual Offences

Subject: Child Sexual Exploitation and Abuse (CSEA)

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

Request

I am currently looking to gather data globally for child sexual exploitation and abuse (CSEA) for a scoping review.

Police / surveillance data that is published annually (or somewhat regularly) that contains data on CSEA (anyone at or under age 17), both online and / or otherwise, specifically:

Request 1

The criteria for reporting CSEA-related crimes in your country.

Request 2

The most recent CSEA-related prevalence rates / number of cases reported in Northern Ireland.

Clarification to you the Requester

Please provide a timeframe for the data you are seeking? E.g. Most recent full year's data (by calendar or financial year?) or data from a specific date up to the date of the request?

Clarification received from you the Requester

I am interested in obtaining the most recent full year's data / criteria (by calendar or financial year-- whichever is most recent).

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.

Enquiries made in relation to request 2 have identified that retrieval of information to response to your request would exceed the FOI legislative cost of 18 hours as set by the Secretary of State. This data is not held in a retrievable format that provides the information without manual intervention, as there is no filter on our software that will identify all CSE (Child Sexual Exploitation) related incidents automatically.

A significant manual trawl of all CSE related records during the listed timeframe, would need to be completed to establish the requested figures. Furthermore CSE related records change on a regular basis according to the current risk or harm posed to or by an individual. The relevant business area have estimated that for a 12 month period, there are potentially 100 records that could relate to CSE. Each of these 100 records would need to be examined, to establish if it is relevant to the request. It is estimated to take at least half an hour to review the material for an individual record, to complete this task for all relevant records, would grossly exceed the FOI legislative cost of 18 hours, as set by the Secretary of State.

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

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, we have considered how your request may be refined to bring it under the appropriate limit.

- The PSNI can respond to request 1 within cost. To assist, please see below our response to request 1.

CSE is something that all police officers must be aware of so they can be aware of the signs when speaking to or dealing with incidents relating to young people.

The definition is as follows:

'Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.'

Police officers responding to reports of missing persons, domestic abuse, self-harm episodes or any incidents involving children should always consider the possible reasons why a young person's behaviour may have changed or consider any other signs of exploitation.

Another time that young people come into contact with police is when in custody. While it is not always the correct time to speak to a young person about being at risk of CSE, it is imperative that custody officers and staff including Health Care Professionals (HCP) recognise the signs of CSE so appropriate referrals can be made.

The signs of CSE include, but are not limited to the following;

- Withdrawn or a change in the young person's behaviour or appearance
- Secrecy, especially around mobile phones and internet usage
- Increased texting or social media usage
- Alcohol Misuse
- Drug Misuse
- Going missing and/or staying out late
- Non-attendance at school

- Unexplained acquisition of cash, clothes etc.
- Involvement in crime
- Associations with older people
- Frequenting party houses

It is accepted that any of these factors alone may not mean that a young person is a victim of CSE but it is important that this is considered and if required an assessment carried out.

There is no specific offence of Child Sexual Exploitation so various other pieces of legislation are used to combat CSE. They are as follows:

- The Children (NI) Order 1995
- Sexual Offences (NI) Order 2008
- The Licensing (NI) Order 1996

Other legislation can also be used depending on the nature of the offences disclosed by the young person.

Who is deemed to be at risk of CSE, is decided upon at a multi-agency risk assessment with Social Services, where all circumstances and previous incidents are reviewed and a joint decision is made.

Further information regarding the criteria for investigating CSE cases is available via the following link:

<https://www.college.police.uk/app/major-investigation-and-public-protection/responding-child-sexual-exploitation/responding-child-sexual-exploitation>

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 Corporate Information Manager, Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.police.uk.

If, following an Internal Review carried out by an independent decision maker, you remain unhappy about how your request has been handled you have the right to apply in writing to the Information Commissioner, under Section 50 of the Freedom of Information Act, at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There are a number of other platforms you can use to contact the ICO and these can be found on the ICO's website at the following link: [Make a complaint | ICO \(https://ico.org.uk/make-a-complaint/\)](https://ico.org.uk/make-a-complaint/).

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

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