

Our Ref: 006413/14



Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

05 November 2014

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 13/10/2014.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

Please find below answers to your questions:-

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

1. How many missing children cases were reported from April 1st 2013 - March 31st 2014

2773 missing person reports on COMPACT (missing persons system) relating to children and young people under 18 years in the period.

2. How many missing children cases have been reported from 1st April 2013 - September 30th 2014

4279 missing person reports on COMPACT (missing persons system) relating to children and young people under 18 years in the period.

3. How many outstanding missing children cases are there currently?

As at 11.19hrs on 14/10/14 there are 7 outstanding missing children cases currently on COMPACT (missing persons system).

4. How many of the missing children cases (in all three questions above) are suspected/known to be related to 'Child Sexual Exploitation'?

This information is not recorded in an easily retrievable format. Records relating to this type of case are not held centrally and potentially a number of systems would need to be researched and cross checked as the information requested is not recorded separately in searchable fields.

To locate, retrieve and extract the requested information requires a manual search of all cases of CSE and all records held in relation to them in order to identify any records in relation to your request. Each individual file/missing episode within each case would need to be researched separately. The work necessary to identify the number of agreements and their specific content would certainly exceed 18 working hours.

This letter constitutes a refusal notice under Section 17(5) of the Freedom of Information Act 2000 with Section 12(1) of the act being applied

12. – (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Should you wish for the Force to continue with your request, a more accurate figure will be provided within a fee's notice. The cost will need to be paid by you, prior to any further investigation. Please advise if you wish to proceed.

Please be advised we may be able to conduct searches for some information should a smaller time period be provided however we cannot guarantee this will bring the request within the cost threshold.

In accordance with the Act, once one part of the request is excess cost the whole request exceeds the cost threshold. However in the spirit of the Act, but outside of it, we have included the answers to your first three questions which we were able to retrieve.

In addition, and irrespective of what other information you may or may not hold, this request will require a partial neither confirm nor deny stance by virtue of Section 23(5) Information supplied by, or concerning, certain Security Bodies. A form of words for this can be found below:

Nottinghamshire Police can neither confirm nor deny that it holds information relevant to questions 1&3, and also with regard to any other information that may or may not be held relating to question 2 as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 23(5) Information Supplied by, or concerning, certain Security Bodies

Section 30(3) Investigations (by virtue of Section 30(2))

Section 31(3) Law Enforcement (by virtue of Section 31(1))

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case. Confirming or denying existence of information held would contravene the constrictions laid out with Section 23 of the Freedom of Information Act 2000 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

Section 30 is a class based qualified exemption. There is a requirement to consider the public interest to ensure neither confirming nor denying that information is held is appropriate.

Section 31 is a prejudice based qualified exemption which means the evidence of harm 'prejudice' needs to be evidenced and the public interest considered to ensure neither confirming nor denying information is held is appropriate.

Harm in Confirming or Denying that Information is held (Section 31)

Any release under the Freedom of Information Act is a disclosure to the world, not just to the individual making the request. To confirm or not that information is held with regard to currently active investigations by Nottinghamshire Police into offences of child sexual exploitation would be inappropriate as it would reveal actual policing activity.

In this case it is identified that the impact of confirming or denying information is held has potential to undermine ongoing investigations. In addition, the partnership approach between national agencies and law enforcement agencies would also be compromised which would affect the effective delivery of operational law enforcement by all partnerships involved in an investigation.

If this request was received nationally, confirming or denying that information exists would reveal a national activity schedule for investigations into these types of offences and could lead to offenders destroying evidence to avoid apprehension and going 'underground' by moving to another area which they feel would be 'safer' to carry out their offending behaviour. This would ultimately place the safety of individuals at an increased risk.

Public Interest Considerations

Section 30

Factors favour complying with Section 1(1)(a)

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Confirming that information exists could promote public trust in providing transparency and demonstrating openness and accountability into where the police are currently focusing their investigations. It could also provide reassurance to the public that Nottinghamshire Police conduct investigations appropriately. Confirmation may allow the public to have a better understanding of the effectiveness of the Police Service.

The issue of child sexual exploitation is a highly emotive subject area often

attracting high profile media and public interest connotations. Confirmation or denial that information exists could provide reassurance to the general public.

Factors against complying with Section 1(1)(a)

Modern-day policing is intelligence led and Nottinghamshire Police share information with other law enforcement agencies as part of their investigative process. To confirm or not where investigations into offences described within the request are active, could hinder the prevention and detection of crime as well as undermine the partnership approach to investigations and law enforcement.

Should offenders take evasive action to avoid detection police resources may well be diverted from frontline duties and other areas of policing in order to locate and apprehend these individuals. In addition the safety of individuals and victims would be compromised.

Balancing Test

Public safety and the ability to deliver effective law enforcement is of paramount importance. Confirmation or denial (by citing an exemption or stating no information held) would undoubtedly compromise both law enforcement and the health and safety of an individual. Therefore, at this moment in time, it is our opinion that for these issues the balancing test against confirming whether information is or isn't held is not made out.

No inference can be taken from this refusal that the information you have requested does or does not exist.

With regards to the additional question received by Northumbria you will need to include the response to this within the NCND as to do anything different would confirm either an investigation(s) existed or not.

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

Disclosure Officer

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk