

Our Ref: 006519/12



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

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

4 December 2012

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 8 November 2012.

How many cases of possessing, downloading or distributing indecent images of children were passed to your force by CEOP last year (April 2011- March 2012)?

How many cases of possessing, downloading or distributing indecent images of children were passed by your force to CEOP last year (April 2011- March 2012)?

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

Nottinghamshire Police can neither confirm nor deny that it holds any other information with regards to an exempt body as the duty in Section (1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemption:

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

23. – (1) 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).

(3) The bodies referred to in subsections (1) and (2) are –

- a) the Security Service
- b) the Secret Intelligence Service
- c) the Government Communications Headquarters
- d) the special forces
- e) the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000
- f) the Tribunal established under section 7 of the Interception of Communications Act 1985
- g) the Tribunal established under section 5 of the Security Service Act 1989
- h) the Tribunal established under section 9 of the Intelligence Services Act 1994
- i) the Security Vetting Appeals Panel
- j) the Security Commission
- k) the National Criminal Intelligence Service, and
- l) the Service Authority for the National Criminal Intelligence Service
- m) the Serious Organised Crime Agency

(5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1 (1) a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

This letter serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000.

Section 23 is a class based absolute exemption which means that there is no requirement to identify and evidence the harm that would be caused by disclosure or consider the public interest in this case.

The Child Exploitation and Online Protection (CEOP) Centre falls under the remit of the Serious and Organised Crime Agency which is an exempt body as detailed within Section 23(3) of the Freedom of Information Act. Confirming or denying the existence of whether any other information is held would contravene the constrictions laid out within Section 23 of the Act in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

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?

If so, prior to lodging a formal complaint, you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again

The quickest and easiest way to have the decision reconsidered is to telephone the case officer that is identified at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Formal Independent Review

If you are dissatisfied with the handling procedures or the decision made by Nottinghamshire Police under the Freedom of Information Act 2000, you can request an Independent Review.

Upon receipt for a review of the initial request response, an independent audit officer from Information Management will review the request and assess whether it has been satisfactorily processed in accordance with policy and procedure.

Requests for Independent Reviews requests should be made in writing to-

Force Information Manager
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Nottingham
NG5 8PP

The Audit officer will record and communicate his/her decision to the information requester within 20 working days.

Appeals

If the findings of the formal independent review do not meet your approval, you can register an appeal against the decision.

An investigation will then take place by the Freedom of Information officer, which will be reported and presented to the Internal Appeal Board. This will include a full account of the reasoning for or against disclosure and the application of any relevant exemptions.

The Internal Appeal Board will consist of at least a member of the Chief Officer Team, a member of the Legal Team and the Force Information Manager.

Appeals should be registered in writing to:

Freedom of Information Officer
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Nottingham
NG5 8PP

Alternatively E-mail: Freedomofinformation@nottinghamshire.pnn.police.uk

Or call: 01159672507

Applications to the Information Commissioner

If you then remain dissatisfied, you may make an application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make an application to the Information Commissioner, please visit their website at www.informationcommisioner.gov.uk

Alternatively, Write to:

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

Or call: 01625 545700.