



Freedom of Information Request Reference N°: FOI 000092-18

I write in connection with your request for information received by Suffolk Constabulary on the xxx 2018 in which you sought access to the following information:

1. "In how many cases did your force impose a Sexual Risk Order (SRO) on an individual in the following years?"

- 2015
- 2016
- 2017

2. How old were those individuals?"

Response to your Request

The response provided below is correct as of 11 January 2018

Suffolk Constabulary has considered your request for information and the response is below.

Suffolk Constabulary has imposed two Sexual Risk Orders on individuals during the 2016 and 2017 calendar year.

The ages of the individuals in question has not been provided as a result of exemptions within the Act.

Section 17 of the Freedom of Information Act 2000 required that Suffolk Constabulary, when refusing to provide such information (because the information is exempt) are to provide you the applicant with a notice ban which:

- (a) States that fact
- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption(s);

Section 40(2) – Personal Data

Section 40 is an absolute exemption and applies to third party personal data. This would not be released under the FOIA unless there is a strong public interest. This is because any release would breach Data Protection Principles contained within the Data Protection Act 1998.



One of the main differences between the Data Protection Act and the Freedom of Information Act is that any information released under FOI is released into the public domain, not just to the individual requesting the information. As such, any release that identifies an individual through releasing their personal data, even third party personal data, is exempted unless there is a strong public interest in its release. The public interest is not what interests the public but what benefits the community as a whole.

Personal data is defined under the Data Protection Act 1998 as data that is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life.

Given there are only two individuals whom have had SRO imposed on them, and the details for those SROs have been previously supplied under an FOI response, it would be possible to identify an individual with the addition of their age.

This is an absolute, class based exemption and, as such, there is no requirement for the public interest test.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Suffolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.



Your Right to Request a Review of Decisions Made Under the Terms of the Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply 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 application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700