

Freedom of Information Request Reference N°: FOI 004262-20

I write in connection with your request for information received by Suffolk Constabulary on the 24 December 2020 in which you sought access to the following information:

1. *“For just the month of October 2020, please state, for children that had missing episodes recorded in your missing persons database (or equivalent central recording system), and that were flagged as being at risk of child sexual exploitation, the total number of missing episodes recorded for each of the ten children that went missing the most often.*
2. *For those children identified in October, how many times since January 2018 did those children, identified in October, went missing in total. Based on your previous response I don’t know whether you can do all that, but if you can at least identify the number of children and missing person episodes each one had recorded against them in October 2020, that would be good.?”*

Response to your Request

The response provided below is correct as of 5 January 2021

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

A search has been completed of the Constabularies COMPACT system for the children that were reported as missing during the month of October 2020.

1. A manual review of those missing in October was undertaken to establish those referencing CSE concerns. The ten children with the most number of missing person entries, marked as being at risk from CSE, were then identified. Those children, for the month of October 2020 only, were reported as missing on a total of 87 occasions.

The Constabulary has not supplied the number for each of the ten children as although this is only a statistical number, it is for a short period of time, spanning only 31 days. When a child is reported missing, there will often be information publicised in media outlets to ensure a quick and safe location of that child. Therefore, if we consider the provision of a months’ worth of data alongside that which is already in the public domain, this increases the likelihood of one or more of those children being identified.

Section 17 of the Freedom of Information Act 2000 requires that Suffolk Constabulary, when refusing to provide such information (because the information is exempt) is 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;

Section 40(2) – Personal Information

Section 44(1) – Prohibitions on disclosure

Section 40 is an absolute; class-based 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 the Principles contained within Article 5(1) of the GDPR and Part 2 of the Data Protection Act 2018.

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 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.

Principle a of Article 5(1) states that information must be processed fairly, lawfully and in a transparent manner. In this case the individuals would have a reasonable expectation that information would not be processed if it resulted in their identification, or equally led to an individual be wrongfully identified as a suspect.

The Constabulary must ensure that all disclosures under FOI will not enable an individual to be identified from the cumulative effect of the response and information that is published proactively for a short period of time. Although it can be argued that any missing persons published in October did identify an individual, the information is held in the public domain for a short period of time and does not identify the frequency of missing episodes and the potential issues concerning CSE. This may enable that connection to be made, rightly or wrongly, and we need to ensure that these children are not adversely affected by this disclosure.

The harm is lessened over a more prolonged period of time, as per question 2, as this does



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not identify when these children went missing, just that it was over a 3-year period. The harm would also be potentially lessened over the passing of time, for example if those children are now adults or no longer at risk of CSE,

FOIA disclosures are to the world at large and will remain in the public domain indefinitely. Therefore, provision of this information would exceed the original Policing requirement for the processing of the information and would not be lawful or fair to the individuals in question, should inferences be made as to who they are, which could be right or wrong.

It is for these reasons outlined above; that I feel the principle a would be breached by this disclosure and the Section 40 exemption remains in place. I am not obliged to consider any further principle in my arguments.

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

2. In relation to the 10 children in question 1, the number of occasions those children have been reported as missing since January 2018, is as follows:

Child 1: 71
Child 2: 96
Child 3: 31
Child 4: 106
Child 5: 100
Child 6: 11
Child 7: 70
Child 8: 39
Child 9: 56
Child 10: 82

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

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.



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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 40 working 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