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Date: 30<sup>th</sup> Mar 2010

Our Ref: FOI/026/10

Your Ref:

Dear Mr McCloy

### **Reference – Freedom of Information Request**

Thank you for your request for information which was received on 2<sup>nd</sup> February 2010. Your request has been dealt with under the terms of the Freedom of Information Act 2000. Can I, on behalf of the Health and Social Care Board (HSCB), apologise for the delay in responding to your request particularly in light of your agreement for the original deadline to be extended by some seven days.


Your request asked for various pieces of information relating to Case Management Reviews and Statistics on child abuse.

**Question (a)** – the amount of CMR's carried out by year for the period 2005-2009.

There have been a total of 12 CMR's conducted by either the four legacy Health and Social Services Boards in Northern Ireland or by the Health and Social Care Board which was established on 1<sup>st</sup> April 2009. A yearly breakdown is as follows:

2004	2005	2006	2007	2008	2009	TOTAL
1	2	0	3	3	3	12

**Questions (b)** – Provide links to electronic copies of the CMR's or provide hard copies.



In 2009 the HSCB made a number of CMR Executive Summaries available to the public under the Freedom of Information (FOI) Act. On 26<sup>th</sup> January 2010 the HSCB was made aware of a complaint submitted to the Information Commissioners Office (ICO) by an individual who felt the release of one of those CMR Executive Summaries by the HSCB had breached his/her rights under the Data Protection Act (DPA) 1998.

As specified under Section 42 of the DPA the ICO are currently carrying out an assessment as to whether there has been a breach of confidentiality. The assessment is still incomplete. Given the similar style applied to the production of all the Executive Summary Reports there is an obligation on the HSCB not to compound the situation by releasing further copies under FOI until this matter is resolved.

The HSCB has therefore decided to withhold release of these documents under Section 22 of the FOI Act – Information Intended for Future Publication. It is the HSCB's intention to make these documents available under FOI at a future date once the assessment has been completed by the ICO. Dependant on the outcome of the ICO assessment the information will be made available either in its current format or will be redacted to ensure that any further breach of confidentiality will be prevented. The Section 22 Exemption is a qualified exemption and as such is subject to a Public Interest Test. It is the HSCB's view that the public interest is best served by withholding this information at the present time and thus complying with the DPA until the outstanding issue of this complaint has been dealt with. Further information on Section 22 of the FOI Act has been included with this correspondence for your information.

**Question (c)** – Residential Status of the children involved;

**Question (d)** – Breakdown of the perpetrator of the act;

Details relevant to these questions are included in the CMR Executive Summary reports and as with Question (b) will be available at a future date.

**Question (e)** – A single figure of children abused who are known to Social Services that did not result in death for the period 2005-2009.

This information is published by the Department of Health Social Services and Public Safety (DHSSPS) for Northern Ireland and can be accessed by following the link below:

[http://www.dhsspsni.gov.uk/index/stats\\_research/stats-cib/stats-cib\\_pubs/stats-cib-children\\_order\\_bulletin.htm](http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/stats-cib_pubs/stats-cib-children_order_bulletin.htm)

Statistics are provided in the electronic copies of the Children Order Statistical Bulletins by year. Having made enquiries the information for 2009 is currently being compiled by the DHSSPS having been somewhat delayed due to the restructuring of the Health Service in Northern Ireland over the past two years.

Should you have any concerns about the information you have received or wish to request further details please contact me (Tel. No. 028 3741 4646 or e-mail [Ken.Moore@hscni.net](mailto:Ken.Moore@hscni.net) ) quoting the reference number in all correspondence.

Yours sincerely

Ken Moore  
Information Governance and Records Manager