



Information Management

Freedom Of Information

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Our ref: 5122/17

Date: 15/12/2017

Dear Mr Lukic,

Thank you for your request for information, received by West Yorkshire Police on 23/10/2017.

Please accept our apologies for the delay in dealing with your request.

You requested the following information:

Please provide a spreadsheet with details of all reported incidents of kidnapping, abduction and related offences (including attempts) over the last three years.

The list should include at least the location of the incident to the finest detail that you can provide, the current status of the report, the age/age range of the alleged victim, and whether the suspect is known to the alleged victim.

Please see the attached document.

Please note that for the time period requested, there are currently 122 ongoing investigations relating to reported incidents of Kidnapping and Child Abduction (including attempts).

Unfortunately West Yorkshire Police is unable to provide you with details of these ongoing investigations as to do so would hinder West Yorkshire Police's ability to appropriately investigate crimes, as such this engages a Section 30(1) – Investigations and proceedings conducted by a public authority exemption. Please see Appendix A for the full legislative explanation.

COMPLAINT RIGHTS

If you are not satisfied with how this request has been handled or with the information provided, please read the advice notice attached to this letter. If you do wish to take up your right of complaint, please remember to quote the reference number above, in any future correspondence.

Yours sincerely,

Rebecca Fawcett
Disclosure Officer

Appendix A

The Freedom of Information Act 2000 creates a statutory right of access to information held by public authorities. A public authority in receipt of a request must, if permitted, state under Section 1(a) of the Act, whether it holds the requested information and, if held, then communicate that information to the applicant under Section 1(b) of the Act.

The right of access to information is not without exception and is subject to a number of exemptions which are designed to enable public authorities, to withhold information that is unsuitable for release. Importantly the Act is designed to place information into the public domain. Information is granted to one person under the Act, it is then considered public information and must be communicated to any individual, should a request be received.

DECISION

Your request for information has been considered and I regret to inform you that West Yorkshire Police cannot comply. This letter serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000.

Section 17 of the Act provides:

(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that information is exempt information must, within the time for complying with Section 1(1), give the applicant a notice which:-

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

REASONS FOR DECISION

The reason that we are unable to provide you with this information is covered by the following exemptions:

Section 30(1) – Investigations and proceedings conducted by a public authority. In relation to the above qualified exemption I am obliged to conduct a public interest test on the information held and here are my considerations:

Factors favouring disclosure

Disclosure would adhere to the basic principle of being open and transparent and would allow for a more accurate public debate.

Factors favouring non-disclosure

The crime notes are an account given by the reporting person at the time the incident is reported. If we were to disclose full details of crime notes and full information relating to ongoing investigations it has the potential to undermine any potential criminal proceedings which could arise.

Balancing Test:

The Police Service is tasked with enforcing the law and protecting the community we serve and there is a public interest argument in ensuring we are open and transparent with regard to policing investigations. The ability of West Yorkshire Police to conduct such enquiries is crucial to the principles of prevention and detection of crime. It is therefore our opinion that the balance lies in favour of non-disclosure of the information at this time.

COMPLAINT RIGHTS

1. Are you unhappy with how your request has been handled or you think the decision is incorrect?

You have the right to request that West Yorkshire Police review their decision. Prior to lodging a formal complaint, we encouraged that you discuss the decision with the case officer that has dealt with your request.

2. Ask to have the decision looked at again

The quickest and easiest way to have the decision looked at again, is to telephone the case officer that is nominated at the end of your decision letter. That person will be able to discuss the decision, explain any issues and assist with any problems.

3. Complaint

If you are dissatisfied with the handling procedures or the decision of West Yorkshire Police, made under the Freedom of Information Act 2000 regarding access to information, you can lodge a written complaint to have the decision internally reviewed.

A West Yorkshire Police internal review of your decision, will be carried out by a senior member of staff who is fully trained in interpreting Freedom of Information legislation. The review will be independent conducted, regardless to the original decision made.

Complaints will only be treated as valid, if they are received by West Yorkshire Police within a 60 day timeframe from the date of the decision letter. They must include the original FOI Reference Number and can only be submitted in writing, by using the following contact details:

foi@westyorkshire.pnn.police.uk

or

West Yorkshire Police
FOI Internal Reviews
PO Box 9
Laburnum Road
Wakefield
WF1 3QP

In all possible circumstances, West Yorkshire Police will aim to complete and respond to your internal review within 20 working days. However this date may be extended in exceptional circumstances, by another 20 working days.

4. The Information Commissioner

If you are still dissatisfied with the internal review decision, made by West Yorkshire Police. You can then 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 application to the Information Commissioner please visit their website at <https://ico.org.uk/>

Alternatively, you can phone their helpline or write to them at:

Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow

Cheshire

SK9 5AF

FOI Help Line: 0303 1231113