



Freedom Of Information

PO BOX 9
Laburnum Road
Wakefield
WF1 3QP

Tel: 01924 296006
Fax: 01924 292726
Email: foi@westyorkshire.pnn.police.uk
Website: www.westyorkshire.police.uk

Our ref: 06623/19

Date: 19/11/2019

Dear Sir/Madam

Thank you for your request for information received by West Yorkshire Police on 25/10/19.

You requested the following information:

Please provide me with the amount of arrests made by West Yorkshire Police that resulted in physical items seized containing indecent images/video of children since December 2014. Also physical items seized that subsequently resulted in an arrest being made. Year on year until present date.

Have all of the children identified in these images/videos been located? Are they now safe? If not, how many remain missing or potentially subject to further abuse?

Please provide me with the number of people arrested in possession of seized devices that contained indecent images/video of children that were already registered with the police under the Sexual Offences Act 2003.

Please provide me with the number of these arrests that were subsequently charged with the offence(s) that they were originally arrested for.

Please provide me with the subsequent number of repeat offenders of sexual offences that weren't previously registered with the police under the Sexual Offences Act 2003.

Please provide me with details of whether or not West Yorkshire Police then granted bail to the offender to live in their home address. Providing statistics year on year from December 2014 until present date.

Please provide me with details if West Yorkshire Police then didn't grant bail to the offender and they were remanded in custody. Providing statistics year on year from December 2014 until present date.

Please provide me with any contracts with organisations/forensic evidence of attempts by West Yorkshire Police/NCA/CAID Partners to specifically analyse these seized devices to further determine whether or not the device has been used to communicate with other sex offenders, rather than facilitating physical destruction after copying/retrieving the indecent images/video of children.

I understand that West Yorkshire Police act as the National Business Administrators (NBA) for CAID and provide day to day support for all police forces. Please can you provide me details of each police force that West Yorkshire Police has trained regarding CAID; when this training occurred; whether it was facilitated on site or remotely and how many police employees/contractors attended each training session.

I understand that in terms of CAID duties at West Yorkshire Police, there is 1 full-time specialist NBA, and 2 Digital Forensic Investigators who are under the Line Management of a Senior Digital Forensic Investigator, civilian staff, overseen by a Detective Chief Inspector. Do you know if this is the case for each and every police force using CAID? Do you advise this in your training?

I understand there is a rotation of male and female staff. Are they receiving ongoing mental health support for their CAID duties? If so, how many hours each week do individuals get allocated for professional support? Is there a set period of time that a West Yorkshire Police staff member/civilian contractor can work on CAID duties? What support mechanisms are offered to police staff/ civilian contractors after they cease to work on CAID duties? How many members of staff/civilian contractors have resigned whilst working on CAID duties? How many have made internal complaints whilst working on CAID duties?

Please confirm the total number of static & moving images held in each of the categories A, B, C for each year since the inception of CAID in December 2014. Please show this information in an .xls format year on year until present date

Please provide a full breakdown of West Yorkshire police allocated resources, showing the amount of hours each West Yorkshire Police staff member/civilian contractor has spent working on CAID duties in the month of September 2019.

Please confirm the total number of static & moving images held on CAID that have been identified as set in a ritualistic / religious location where there's been more than one abuser present.

Unfortunately, West Yorkshire Police are unable to provide you with the information requested.

In the majority of cases where a person is arrested for an indecent images of children offence there would be some form of device seized which contained the image, be that a laptop, phone etc. Whether the person had initially been arrested due to possessing images (e.g. via an operation or as a result of intelligence), or whether a further arrest was made as a result of the image being found on a device that had been seized as part of another investigation could only be determined by manually reviewing each arrest. The 1,535 arrest records would need to be reviewed by someone experienced in this field. At a minimum estimate of 10 minutes per record to establish this and retrieve the other information requested would equate to 255 hours.

It is estimated that the cost of providing / locating the information you seek within your request would exceed the time threshold. Where a reasonable estimate has been made that the appropriate limit would be exceeded, there is no requirement for a public authority to undertake the work up to the limit.

Please see Appendix A for the full legislative explanation as to why West Yorkshire Police are unable to provide the information.

West Yorkshire Police will assist you in negotiating the possibility of the provision of some of the information requested. Please see the Advice and Assistance under Section 16 of Appendix A.

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

Gemma Burton
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, that is, once access to 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

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 exemption(s):

Section 12 - Where the cost of compliance exceeds the appropriate limit

West Yorkshire Police can confirm that we hold the information you seek, however it is not held in an easily retrievable format.

In the majority of cases where a person is arrested for an indecent images of children offence there would be some form of device seized which contained the image, be that a laptop, phone etc. Whether the person had initially been arrested due to possessing images (e.g. via an operation or as a result of intelligence), or whether a further arrest was made as a result of the image being found on a device that had been seized as part of another investigation could only be determined by manually reviewing each arrest. The 1,535 arrest records would need to be reviewed by someone experienced in this field. At a minimum estimate of 10 minutes per record to establish this and retrieve the other information requested would equate to 255 hours.

It has been estimated that the cost of providing you with this information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, which currently stands at £450 worth of work.

Our NPCC guidance states that we do not issue fees notices and therefore in accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice.

West Yorkshire Police have utilised Section 12, which states "A public authority does not have to comply with a request for information if the cost of compliance exceeds the appropriate limit", this is further affirmed by the Decision Notice issued by the Information Commissioner's Office (Reference:

FS50143930), and Guidance issued by the Information Commissioner's Office on Using the Fees Regulations.

ADVICE AND ASSISTANCE

Under Section 16 of the Freedom of Information Act 2000, my duty to provide advice and assistance to persons who have made request for information, please be advised that West Yorkshire Police can offer the following advice:

We may be able to search records for a 1 month period within cost. However, please note that any information retrieved is subject to exemption under the Freedom of Information Act 2000.

Please note that police forces do not use generic systems or identical procedures for capturing the data. For these reasons this response to your questions should not be used for comparison purposes with responses you may receive from other police forces.

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 www.ico.gov.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