



Home Office

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George Robinson
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27 March 2018

Dear Mr Robinson

Freedom of Information Request 47548

Thank you for your email of 1 March 2018, in which you seek information further to a quote from Mike Penning, MP. Your request has been handled as a request for information under the Freedom of Information Act 2000 (FOIA).

In your email, you ask a number of questions and specifically request the release of 'any and all information on the file' pertaining to a Mr John Wedger including:

1. when and how the file arrived at the Home Office;
2. when it went missing and what has the Home Office done as a consequence, including investigations undertaken and any disciplinary action taken;
3. confirmation if any of it remains with the Home Office and;
4. the release of the file.

It may firstly be of help to respond to your enquiry in general terms. Government Ministers and officials are unable to comment on or intervene in individual cases, police operational procedures or decisions. This is not through a lack of concern or interest, but is because these parts of the criminal justice system are independent of Government and to do so would be a breach of this fundamental principle.

Accordingly, I can confirm that the information your request relates to was passed to Operation Hydrant¹ by the Home Office. This is in line with Home Office protocol agreement in place with the police, which sets out that all information disclosed to us relating to allegations of child sexual abuse will be passed to a central point in the police. Since, as above, the Home Office cannot become involved in operational policing matters, this allows for information to be investigated as appropriate.

¹ As you may be aware, Operation Hydrant delivers the national policing response, oversight, and coordination of non-recent child sexual abuse investigations concerning persons of public prominence, or in relation to those offences which took place within institutional settings.

Turning to your requests for specific information:

In relation to the first part of your request, I can confirm the file in question was received by Mike Penning in his capacity as the Minister of State for Policing, Fire, Criminal Justice and Victims in March 2016.

As per our general terms response to your enquiry (above), and our response to parts three and four of your request (below), part 2 of your request is not applicable.

In relation to parts three and four of your request, I can confirm that the Home Office holds the file that you requested. The information contained in the file, however, is exempt from disclosure under section sections 31(1)(a) and 31(1)(b) of the FOIA, which provide that information may be withheld if disclosure would prejudice the prevention or detection of crime and the apprehension or prosecution of offenders respectively. These exemptions are referred to as 'qualified exemptions' and are subject to a public interest test, details of which are provided below.

Considerations in favour of disclosing the information

- Promoting transparency and accountability of government; and
- Strengthening public faith in the Government's response and commitment to tackling child sexual exploitation and abuse.

Considerations in favour of maintaining the exemption

- Releasing information contained in the file would be likely to prejudice ongoing investigations by alerting suspects and potentially allowing them to destroy evidence and/or evade investigations;
- Disclosure would undermine the fundamental principle that police operations are independent of government and to comment on or intervene in individual cases would be a breach of this principle; and
- Disclosure would provide an incomplete and misleading picture arising from information being published without relevant context or explanation.

We conclude that the harm that would arise from disclosure outweighs the benefits that releasing this information might have. We therefore consider it is in the public interest to maintain the exemptions at sections 31(a) and (b) and to withhold the information requested at part four of the request in its entirety.

In addition to the above, some of the information requested in the first and fourth parts of your request is considered to contain personal information. The Home Office has obligations under the Data Protection Act 1998 (DPA) and in law generally to protect personal data. We have concluded that the information you have requested is exempt from disclosure under section 40(2) of the FOIA, because of the condition at section 40(3)(a)(i). This exempts personal data if disclosure would contravene any of the data protection principles in Schedule 1 to the DPA. Section 40(2) is an absolute exemption, which does not require a public interest test.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foirequests@homeoffice.gsi.gov.uk, quoting reference 47548. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be reassessed by staff who were not involved in providing you with this response. If you were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

Yours sincerely,

Safeguarding Unit