

OFFICIAL



Heddlu Police

**DYFED-POWYS**

**FOI Reference: 368/2021**

**Request:**

I am writing to request the following information under the Freedom of Information Act 2000.

1. How many crimes were recorded under the Modern Slavery Act 2015, involving sexual exploitation, for each of the last 3 financial years?
  - a. 2018-19
  - b. 2019-20
  - c. 2020-21
  
2. How many of the crimes identified in Question 1, involved any potential victims recorded as being Romanian nationals, in each of the last 3 financial years?
  - a. 2018-19
  - b. 2019-20
  - c. 2020-21
  
3. How many of the crimes identified in Question 2 involved online adverts from Adult Services Websites? If necessary, please do a keyword search for the terms 'Adult Services Website', 'ASW', 'Adultworks' and 'Vivastreet'. Please give a figure per year for each of the last 3 financial years.
  - a. 2018-19
  - b. 2019-20
  - c. 2020-21
  
4. Of the crimes identified in Question 2, how many involved potential Romanian victims recorded as being under the age of 18? Please give a figure per year for each of the last 3 financial years. In each year, if possible please provide the age of the youngest potential victim.
  - a. 2018-19
  - b. 2019-20
  - c. 2020-21

**Response 1:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

<b>Year</b>	<b>No. crimes were recorded under the Modern Slavery Act 2015, involving sexual exploitation</b>
18/19	13
19/20	20
20/21	33

**Response 2:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

<b>Year</b>	<b>Of the crimes identified in Question 1, the no. that involved any potential victims recorded as being Romanian nationals</b>
18/19	0
19/20	1
20/21	0

In addition to the above, Dyfed Powys Police can neither confirm nor deny that it holds any other information with regard to an exempt body as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemption:

**Section 23(5) Information Supplied by, or concerning, certain Security Bodies**

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case.

Confirming or denying the existence of whether any other information is held would contravene the constrictions laid out within Section 23 of the Freedom of information Act 2000 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

**Response 3:**

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of FOIA requires that we provide the applicant with a notice 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 applies.

Dyfed-Powys Police can neither confirm nor deny that it holds information pertinent to this request as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

- Section 23(5) - Information relating to Security bodies**
- Section 30(3) - Investigations**

## **Section 31(3) - Law Enforcement**

Section 23 is a class based absolute exemption and there is no requirement to evidence the harm or consider the public interest.

Section 30 is a class based qualified exemption and consideration of the public interest must be given as to whether neither confirming nor denying the information exists is the appropriate response.

Section 31 is a qualified exemption and as such there is a requirement to articulate the harm and conduct a test of the public interest in confirmation or denial.

## **Overall Harm**

Although it is acknowledged that there are investigations into modern slavery within the guise of sexual exploitation, the impact of confirming nor denying whether information relevant to this request, irrespective of what information is or isn't held, would be inappropriate as it would reveal the intricacies of police investigations into such matters.

In addition to confirm or deny whether any information is held relating to victims exploited through the involvement of Adult services websites, has the potential of undermining the flow of information (intelligence) into the Police Service and other outside agencies relating to the methodology within these types of offences. Confirmation or denial would also undermine both ongoing investigations and the Authorised Professional Practice for Information Management. This could in turn lead to police officers having to be removed from their frontline duties in order to increase manpower on an investigation.

Finally, sexual exploitation is not only a national problem but a global one. In order to ensure the police delivers effective law enforcement we liaise with various other national agencies to provide suitable support. Not only would police investigations be compromised, but any enquiries or investigations that other agencies may be undertaking would also be compromised.

## **Public Interest Considerations**

### **Section 30**

**Factors favouring disclosure** - Confirming or denying whether information exists relevant to this request would lead to a better informed general public by identifying that the police robustly investigate allegations made against a public authority for such serious matters. This fact alone may encourage individuals to provide intelligence in order to assist with investigations and would also promote public trust in providing transparency and demonstrating openness and accountability into whether the police are currently focusing their investigations.

The public are also entitled to know how public funds are spent, particularly in the current economic climate.

The issue of Modern Slavery and sexual exploitation is a highly emotive subject area often attracting high profile media and public interest connotations. Confirmation or denial that any information exists could provide reassurance to the general public.

**Factors against disclosure** - Modern-day policing is intelligence led and the police shares information with other law enforcement agencies as part of their investigative process. To confirm or not whether specific information is held about an ongoing investigations into sexual

exploitation could hinder the prevention and detection of crime as well as undermine the partnership approach to investigations and law enforcement.

Should offenders take evasive action to avoid detection, police resources may well be diverted from frontline duties and other areas of policing in order to locate and apprehend these individuals. In addition, the safety of individuals and victims would be compromised.

### **Section 31**

**Factors favouring disclosure** - It is recognised that there is a general public interest in the topic of Modern Slavery overall. The public interest favours disclosure of the requested information as it will allow the public to be better informed and brought into the discussion on law enforcement matters and preventative solutions.

**Factors against disclosure** - Confirming whether or not information is held in this case would suggest that the police fail to take their responsibility to protect the safety of individuals seriously. Public safety is of paramount importance and if offenders are provided with specific detail of ongoing police and other law enforcement agency investigations, undoubtedly offenders could use this to their advantage. In addition, public safety would be compromised as it may encourage offenders to carry out further crimes.

The police rely on information being supplied by the public. Irrespective of what information is or isn't held, by applying a substantive exemption(s) would indicate that information into sexual exploitation via online Adult services is held and may be actively under investigation. Such action would act as a deterrent any person who might otherwise provide intelligence to the force which would further undermine public safety, with repercussions that could hinder the prevention or detection of crime.

### **Balancing Test**

The points above highlight the merits of confirming or denying that information pertinent to this request exists. The Police Service relies heavily on the public providing information to assist in criminal investigations and has a duty to protect and defend vulnerable individuals. The public has an expectation that any information they provide will be treated with confidence and in line with the APP Information Management Module. Anything which places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service.

In addition, the effective delivery of operational law enforcement takes priority and is at the forefront of the police to ensure the prevention and detection of crime is carried out and the effective apprehension or prosecution of offenders is maintained. This includes ensuring our relationship with other law enforcement agencies runs smoothly in the joint approach to multi-agency investigations.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for confirming, nor denying, that information is held is not made out.

No inference can be taken from this refusal that information does or does not exist.

### **Response 4:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

<b>Year</b>	<b>Of the crimes identified in Question 2, the no. that involved potential Romanian victims recorded as being under the age of 18</b>
18/19	0
19/20	0
20/21	0

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**It should be noted that owing to the systems adopted by Dyfed-Powys Police in relation to the recording of such matters the information provided may or may not be accurate.**

**Police Forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recoding criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons this Force's response to your questions should not be used for comparison purposes with any other response you may receive.**

(This is a response under the Freedom of Information Act 2000 and disclosed on 21/06/21)