



Heddlu Police

DYFED-POWYS

FOI Reference: 140/2018

Request:

1. To date, the total number of child abuse allegations that you have referred to Operation Hydrant, the body that is overseeing the UK wide investigation into abuse allegations?
2. How many of the cases referred to Operation Hydrant are specifically linked to sport?
3. Of those linked to sport, how many are actively being investigated?
4. How many of the cases referred to Operation Hydrant are linked to public figures?
5. Of those linked to public figures how many are actively being investigated?

Clarification:

By 'Public Figure' I mean: any person in a position of public office or who is involved in public affairs or public life.

Responses 1, 2 & 4:

I can confirm that Dyfed-Powys Police does hold the information requested, as outlined below.

	As at 13/03/2018
Number of allegations recorded	136
Number of cases linked to sport	4
Number of cases linked to public figures	2

Responses 3 & 5:

Section 1 of the Freedom of Information Act 2000 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 the Freedom of Information Act 2000 requires Dyfed-Powys Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

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

I can confirm that Dyfed-Powys Police does hold information in respect of your request, however a Section 31(1)(a)(b) has been applied to the requested information:

Section 31(1)(a)(b) Law Enforcement

- (1) *Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to prejudice -*
 - (a) *the prevention or detection of crime*
 - (b) *the apprehension or prosecution of offenders*

Section 31 is a prejudice based qualified exemption and as such there is a requirement to provide details of the harm as well as the public interest test.

Section 31 Evidence of Harm

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate and the applicants do not have any ulterior motives. However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over our ability to exercise our core function which is Law Enforcement.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure of the information requested in relation to questions 3 and 5. The police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The general public are also aware that modern day policing is intelligence led and that there are changes on a day to day basis. To release such information would cause harm to the police service's ability to protect the public it serves and could prejudice its ability to perform core functions such as the prevention or detection of crime. The disclosure of the requested information would be invaluable to members of the criminal fraternity and would undoubtedly provide those with criminal intent with the knowledge, for comparison purposes, of Dyfed-Powys Polices' capabilities in a highly sensitive policing area.

Public Interest Test:

Section 31 - Considerations favouring disclosure:

Factors favouring disclosure would be that it adheres to the basic principle of being open and transparent; it would also lead to a better informed public which in turn may reduce crime and/or lead to more information from the public.

Section 31 - Considerations favouring non-disclosure:

Factors favouring non-disclosure would be that the provision of the requested information would provide those with criminal intent with the knowledge of Dyfed-Powys Polices' capabilities in a highly sensitive policing area. This would have an impact on police resources and would hinder the prevention or detection of crime and place individuals at great risk of harm.

Balance Test

After considering the advantages and disadvantages in disclosure it falls upon Dyfed-Powys Police to conduct a balance test on the issues. The strongest arguments for release which is better awareness need to be weighed against the strongest argument for non-release which in this case is effective law enforcement. The police service is tasked with the prevention and detection of crime and protecting the public. Whilst there is a public interest in better awareness, there is very strong public interest in safeguarding the protection of the public and the effective use of police resources.

Therefore, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

It should be noted that as a result of the systems adopted by Dyfed-Powys Police in relation to the recording of such information that the information released may or may not be accurate.