

12 April 2016

Freedom of Information Request - Reference No: 20160382

REQUEST

Under the Freedom of Information Act 2000, I seek the following pieces of information in relation to the Child Sex Offender Disclosure Scheme, known as "Sarah's Law".

- 1. The total amount of requests your force has received asking if an individual – with access to children – has a sex offender's record.*
- 2. The total amount of individuals who were confirmed as having a sex offender's record - which you revealed to the interested party.*
- 3. The total amount of individuals with a sex offender's record that you refused to disclose.*
- 4. Of the most recent ten cases (up until the time my request is answered) where you disclosed an offender's record, please state the main/primary offence that caused concern?*

I would like questions 1-3 broken down annually from the introduction of the law in April 2011 until the time my request is answered.

RESPONSE

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire 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.

The following exemption applies to the disclosure of the information:

Section 12(1) – Exemption where cost of compliance exceeds appropriate limit

I contacted our Public Protection Unit for assistance with your request. A Detective Sergeant has advised that to address Q3 would exceed the Appropriate Limit. This is because the information is not routinely collated and would therefore require analysis of 300+ records to determine the reason for non-disclosure. This process would exceed 18 hours of work.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the cost limit for non central government public authorities is £450. This must be calculated at the rate of £25 per hour, providing an effective time limit of 18 hours.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf

Although excess cost removes the force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request neither does it bind South Yorkshire Police to any commitment that it will release information in such a manner in the future .

Question 1

March 2011 – March 2012 = 60
March 2012 – March 2013 = 52
March 2013 – March 2014 = 63
March 2014 – March 2015 = 76
March 2015 – March 2016 = 62
Total = 313

Question 2

March 2011 – March 2012 = 14
March 2012 – March 2013 = 3
March 2013 – March 2014 = 3
March 2014 – March 2015 = 9
March 2015 – March 2016 = 8

N.B The figures for March 2011 – 2012 do not differentiate between disclosures due to sex offender records or for other matters.

Question 4

1. Battery
2. Non Accidental Injury
3. Common Assault / Assault Occasioning Actual Bodily Harm
4. Rape Female U13
5. Indecent Images of Children
6. Indecent Assault Female U16
7. Indecent Assault Female U14
8. Sexual Assault
9. Indecent Assault female U13
10. Indecent Assault Female U16