



FREEDOM OF INFORMATION REQUEST



Request Number: FOI-2023-02513

Keyword: Crime/Incident Statistics Sexual Offences

Subject: Purchase of Sexual Services

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland (PSNI) does hold some information to which your request relates and this is being provided to you. We consider the information you seek in request number 2d is exempt by virtue of Section 40 of FOIA and have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

Request 1

With regard to Human Trafficking and Prostitution, since the 1st of January 2018, how many individuals have been:

- (a) Arrested
- (b) Charged
- (c) Offered a discretionary disposal
- (d) Taken a discretionary disposal or
- (e) Given a caution
- (f) Convicted of paying for sexual services of a person (Article 64A of the Sexual Offences Order 2008, as amended by section 15 of the Human Trafficking and Exploitation Act).

Request 2a

Could I ask that these statistics be broken down by year (calendar or financial, whichever is easier for you).

Answer 1

Please see the information requested in the table below.

Please note in conjunction with the information the following caveats:

- i. The information provided has been extracted from the police database custody extracts where an individual has been arrested and processed through police custody for the offences of Paying for Sexual Services (Article 64).*
- ii. A person may have been dealt with by other methods without having been arrested. The information provided is based on a count of custody numbers.*

- iii. A 'Discretionary Disposal' is now listed as a 'Community Resolution' on our database and our database does not record if someone is offered a community resolution only if that is how the charge is resulted.
- iv. This information is based on data extracted from a live crime recording system and may be subject to change.
- v. It is dependent on the information having been input into the system in such a way as to identify those records that are relevant.
- vi. PSNI technical team is not involved in checking reliability and validity of any data input into the database and cannot rule out the possibility of input errors which may have influenced these figures.
- vii. Information relating to convictions & prosecutions is provided by Northern Ireland Courts Service and the Public Prosecution Service to PSNI for information purposes only and may not be wholly accurate. For accurate figures the relevant information should be sought from either Northern Ireland Courts Service or Public Prosecution Service directly.
- viii. * Arrested and processed through police custody.

Table 1 – (Request 1a) - Number of Arrests* for Paying for Sexual Services (1 January 2018 - 9 August 2023)

Year Of Arrest	Number
2018	6
2019	20
2020	8
2021	15
2022	17
2023	9
Total	75

Table 2 - (Request 1b) - Number of Arrests* and subsequently charged for Paying for Sexual Services (1 January 2018 - 9 August 2023)

Year Of Arrest	Number
2018	1
2019	3
2020	4
2021	3
2022	4
2023	6
Total	21

Table 3 - (Requests 1c – 1f)

Result	Count
Discretionary Disposals (Community Resolution)	4
Caution	24
Conviction	1

Request 2b

Could I further ask for the ages and gender of those arrested?

Answer 2b

PSNI can advise all arrests were male.

Please see the age breakdown requested in the table below.

Table 4 - Number of Arrests* for Paying for Sexual Services by age (1 January 2018 - 9 August 2023)

Age Range	Number
Under 20	0
20 – 29	16
30 – 39	19
40 – 49	16
50 – 59	16
60+	8
Total	75

Request 2c

The police district in which they were arrested?

Answer 2c

Please see the information requested in the table below.

Please note in conjunction with the information the following caveats:

- i. Policing District is the 'Arresting' district and may not be where the person resides.*

Table 5 - Number of Arrests* for Paying for Sexual Services by Policing District (1 January 2018 - 9 August 2023)

Policing District	Number
Belfast	34
Lisburn & Castlereagh	3
Ards & North Down	3
Newry, Mourne & Down	2
Armagh, Banbridge & Craigavon	3
Mid Ulster	4
Fermanagh & Omagh	6
Derry City & Strabane	4
Causeway Coast & Glens	2
Mid & East Antrim	5
Antrim & Newtownabbey	7
Not Recorded	2
Total	75

Request 2d

The date on which the arrest took place to be provided?

Answer 2d

Please see the information requested in the table below.

Please note; Under Section 40 of the Freedom Of Information Act specific information relating to the date of the arrest has been provided by month and year only, as PSNI consider this to be low level data, and therefore for this reason it has not been provided to ensure the information cannot be correlated together and any individual be identified.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, 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 not otherwise apparent) why the exemption applies.

The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 40(2)(a)(b) by virtue of 40(3)(a)(i) – Personal Information

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

Section 40 is a Class-based exemption, therefore it is not necessary to evidence the harm caused by disclosure nor is it necessary to carry out a public interest test in this case.

The information not broken down by PSNI relates to persons who we consider could be identified from that information. We have therefore considered whether the disclosure of this personal data is subject to the exemption at section 40(2) of the Freedom of Information Act 2000 (by virtue of S40 (3) (a) (i)). If the disclosure of the personal data would contravene any of the eight data protection principles contained within the Data Protection Act 1998, the exemption at section 40(2) of the Freedom of Information Act 2000 will apply. Section 40(2) of the Freedom of Information Act 2000 by virtue of section 40(3)(a)(i) states:-

“(2) Any information to which a request for information relates is also exempt information if

- a) it constitutes personal data which do not fall within subsection and
- b) either the first or the second condition below is satisfied.

(3) The first condition is –

a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles ...”

The eight principles within the Data Protection Act, are principles of good information handling standards which PSNI must comply with in relation to how it handles personal information, including deciding whether to disclose it or not. In particular, the first principle requires personal data to be processed ‘fairly and lawfully’. In considering whether it is ‘fair’ to the individual to release this information about them, PSNI considered the likely expectations of the individual. Therefore disclosure would be in contravention of the first Data Protection Principle as it would be ‘unfair’ to the individual concerned to release it and PSNI has withheld that information.

The release of information under Freedom of Information (FOI) is a release into the public domain and not just to the individual requesting the information. Once information is disclosed by FOI there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a disclosure to the world in general.

Table 6 - Number of Arrests* for Paying for Sexual Services by Date of Arrest (1 January 2018 - 9 August 2023)

Date	Number
January 2018	2
February 2018	1
May 2018	1

July 2018	1
September 2018	1
February 2019	1
September 2019	8
October 2019	3
November 2019	7
December 2019	1
January 2020	1
February 2020	1
September 2020	2
October 2020	2
November 2020	2
January 2021	1
February 2021	1
March 2021	2
April 2021	1
June 2021	1
July 2021	4
August 2021	2
October 2021	2
November 2021	1
January 2022	4
February 2022	1
March 2022	1
May 2022	1
June 2022	1
July 2022	1
August 2022	1
September 2022	3
October 2022	1
November 2022	2
December 2022	1
January 2023	4
April 2023	1
June 2023	2
July 2023	1
August 2023	1

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Corporate Information Branch, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Corporate Information Manager, Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.police.uk.

If, following an Internal Review carried out by an independent decision maker, you remain unhappy about how your request has been handled you have the right to apply in writing to the Information Commissioner, under Section 50 of the Freedom of Information Act, at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There are a number of other platforms you can use to contact the ICO and these can be found on the ICO's website at the following link: [Make a complaint | ICO \(https://ico.org.uk/make-a-complaint/\)](https://ico.org.uk/make-a-complaint/).

In most circumstances, the Information Commissioner will not investigate a complaint unless an

internal review procedure has been carried out however, the Commissioner has the option to investigate the matter at their discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnj.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.