

10 October 2019

Freedom of Information Request - Reference No: 20191979

REQUEST

I'd like to know the following:

1. The number of missing persons cases currently open
2. What that number of cases was in 2015, 2016, 2017 and 2018
3. For the cases that are currently open, I'd like to know how many relate to males, how many to females and how many to under-18s

For questions 1-3, please provide the answers in an Excel spreadsheet with headings as follows:

'Number of missing person cases current' '2018' '2017' '2016' '2015' 'Current cases: male'
'Current cases: female' 'Current cases: under-18'

I'd also like to know the three longest-running, unsolved and still open missing persons cases on your files.

For each of those three cases, I'd like:

- The person's identity, nationality, description, age, occupation and anything else known about them
- Where they were last sighted
- When they went missing and in what circumstances
- Status of the investigation currently, including when police last took action in relation to it and the nature of that action
- Copies or details of any public appeals made, if available and disclosure of the number of appeals issued in relation to the case
- Any images released to the public linked to the person concerned, or if not released, any images that the force would be willing to disclose in the hope they can help to trace the individual

RESPONSE

I approached our Performance Review Unit for assistance with your request. A Performance Review Officer has searched our Missing Person System and was able to provide the following information:

- 1 16 as at 11/09/2019
- 2 We are unable to provide open missing cases for each of the calendar years as the system is dynamic as in, it is a live system and we are unable to look back retrospectively at a specific point in time. If it assists at all we can provide the number of missing persons reports received for each of the calendar years as follows:

2015	8203
2016	7815
2017	9396

2018 8917

3 Of the 16 live cases currently open the break down in age and gender is as follows:

Male	10
Female	6
Under 18	7

In terms of the remainder of the request, I can advise that the three longest running missing cases date back to 1992, 2002 and 2005. Having checked with our Media department, I can also confirm that no information is held within South Yorkshire Police Media team in regard to public appeals for these three missing cases. This may not be because an appeal was not made, but simply due to the length of time that has passed and information relevant to your request is no longer held.

However, I will not be disclosing any further details regarding these three cases.

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 exemptions apply to the disclosure of the information:

Section 30- (1)(a)(b)- Investigations and Proceedings Conducted by Public Authorities
Section 38 - Health and Safety (1)(a)
Section 40(2) Personal Information

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This is an absolute exemption and therefore a Public Interest Test is not relevant. However, for clarity, I will explain my rationale for engaging this exemption. Section 40(2) provides that information is exempt if it is the personal data of someone other than the applicant and disclosure would breach any of the data protection principles. The term 'personal data' means data that relates to an (assumed in these circumstances) living individual who can be identified. All of the details requested would lead to the persons being identified, and whilst that may appear to be an odd concept for a person who is missing, under the FOI Act, we must still nevertheless consider the right to privacy afforded to any persons (whether missing or not) under the Data Protection Act 1998.

Section 30- (1)(a)(b)- Investigations and Proceedings Conducted by Public Authorities
Section 38 - Health and Safety (1)(a)

As Section 30 and Section 38 are both class based exemptions, I am required to carry out a Public Interest Test in respect of the disclosure of the remaining requested details of each individual. Although I am not required to provide evidence of harm under the Section 30

exemption, I have provided some information that demonstrates how the disclosure of information pertinent to your request may prove harmful.

HARM

It is important to state that a response to a Freedom of Information request is not just published to the requestor, but also to the world due to the potential disclosure on the force website Disclosure Log. Any material provided within the response could therefore be potentially viewed by anyone who wished to see it.

Your request asks for all the personal details of the three longest running cases, together with the circumstances of how they went missing and the current status of the investigation. Whilst there is undoubtedly public interest in the disclosure of these details, not only are they protected by the Data Protection Act, I do also have a duty to consider the wider implications. A full disclosure under the FOI Act does not take into consideration the wider implications of a random disclosure of highly sensitive cases which may not in fact be appropriate. For example, the missing person may not want to be found, a full disclosure of the requested details may interfere with ongoing investigations and consideration must also be given to well-being of the friends and family of missing loved one who may not wish to be reminded of the pain caused by the loss without forewarning and without specific support provided at the time of this disclosure. Information randomly placed into the public domain could therefore be very damaging for a whole host of reasons even though some information may already be in the public domain.

I am of therefore of the opinion that details relating to these cases fall within either one or both of the Section 30 and 38 exemptions listed above. Release of these very specific details may compromise any further lines of enquiry and the integrity of any outstanding investigations and is also likely to cause significant upset or distress to the relatives of the missing persons concerned.

PUBLIC INTEREST TEST

Section 30 – Favouring non- Disclosure

- Any current and/or future investigations into a case could be compromised by the release into the wider public domain of specific sensitive investigation material relating to the cases.
- Individuals may be reluctant to come forward and provide information if they believe that details relating to an investigation could be released, via an FOI request, whilst the enquiries continue.

Section 30 – Favouring disclosure

- The public would have a better understanding of how investigations are conducted by South Yorkshire Police and the public funds used to investigate such cases.
- The public could take comfort in the knowledge that despite the length of time that has passed, our investigations still continue.

Section 38 – Favouring non disclosure

- The distress that may be caused to the families concerned, by the release or reminder of material into the wider public domain.

Section 38 – Favouring disclosure

- The public would have a better understanding of how investigations are conducted

Balancing Test

I have carefully considered your request for information. The key test when considering the public interest is to establish whether in all the circumstances of the request, the public interest in disclosing the information is not outweighed by that in maintaining the exemption(s).

I am of the opinion that the strongest reason for withholding information is that any outstanding investigations could be compromised by releasing material pertinent to your request. This has to be set against the strongest reason for the disclosure of information, which in my opinion, is that disclosure demonstrates the transparency of police investigations and puts a reminder out in the public domain that these people are still missing after all this time.

As we have already stated, a Freedom of Information request is not just a release to the person making the request, but also to the world. It cannot be clear at present what effect a disclosure made by a Freedom of Information response may have upon such an investigation, the families involved or indeed the missing persons themselves. We would not wish to cause any unnecessary distress to the families of the missing by a public release of information without any formal strategy or involvement with those concerned.

It is my opinion at this time therefore, the public interest favours non-disclosure and the remainder of the requested information is withheld.