

25th October 2018

Freedom of Information Request – Reference No:20181808

REQUEST

I seek information covering each calendar year from 2012 up until the latest set of available figures from your police force.

1. Please provide the number of people who have been charged with offences relating to the illegal trade of endangered or protected species contrary to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) legislation.

2. Where possible, please provide details about the nature of the crime. For example, trading ivory tusks, fur coats made from endangered wildcats, etc.

3. If possible within the scope of this request, please provide details on how many of those charged were convicted, and where possible the sentence received.

If the time frame of this request is likely to exceed the limits of the FOI act, please focus on number 1) and 2) as priority over number 3.

If providing data from 2012 onwards is likely to exceed the time limit. Please provide information from each calendar year from 2015 onwards

RESPONSE

I approached our Crime Management Data Returns Administrator for assistance with your request. The CMS system and Connect System is used to record complaints or allegations of those matters, which the Home Office specify should be recorded as 'crimes'.

She conducted a search of the two crime management systems. (CMS - our legacy system which provides data up to 4th December 2017 and our new CONNECT system which records crimes from that date onwards) While the data is available I am not prepared to disclose the details in full at this time.

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 40(2) Personal Information

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 a living individual who can be identified. Information disclosed under the Freedom of Information Act is disclosed into the public domain, effectively to the world, not just to one individual. Although not explicitly naming individuals, the cumulative effect of a full disclosure when there are low numbers involved ie date, offence, details and the outcomes would be likely to lead to the identification of those involved. This would be breaching the right to privacy afforded to persons under the Data Protection Act 1998.

With this in mind, I am prepared to disclose as much detail as possible without compromising the identity of anyone involved. Please see the below:

I have searched CMS(ii) and CONNECT for the offence - CONTROL OF TRADE IN ENDANGERED SPECIES - OFFENCES RELATING TO THE PURCHASE AND SALE OF SPECIMENS LISTED IN ANNEX A TO COUNCIL REGULATIONS (EC) NO 338/97. This has returned one offence refers.

Offence count	Year	Offence Title
1	2014	CONTROL OF TRADE IN ENDANGERED SPECIES - OFFENCES RELATING TO THE PURCHASE AND SALE OF SPECIMENS LISTED IN ANNEX A TO COUNCIL REGULATIONS (EC) NO 338/97

Also please note that South Yorkshire Police does not hold 'conviction' or 'sentencing' (outcomes at court), however from our systems you have the number of offenders who have been charged, and the Ministry of Justice will be better placed to provide you with any further information in this respect.