

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.ukDate: 19th April 2021

Your ref: FOI

Our ref: FOI 2021 / 270

I write in connection with your request for information dated 25th March concerning complaints of sexual misconduct from officers.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply all the information you have requested.

You wrote:

- Please provide us with the number of complaints of sexual misconduct, including sexual harassment, exploitation of crime victims and child abuse made against police officers, special constables and police community support officers in your force each year since 2012. N.B. Please break these down into a) public complaints and b) internal conduct matters.
- How many of the public complaints were upheld each year?
- How many of the public complaints resulted in sacking or resignation each year?
- Please provide a description of each public complaint that resulted in sacking or resignation.
- How many of the internal conduct matters were upheld each year?
- How many of the internal conduct matters resulted in sacking or resignation each year?
- Please provide a description of each internal conduct matter that resulted in sacking or resignation.



INVESTOR IN PEOPLE

Our response:

The information you are requesting is not stored in a way that it is easily retrievable. Our system only seems to be bringing up accurate data from 2016 onwards. This is likely due to old recording processes. Even so, a dip sample of 2012-15 was conducted, in which we found reports of sexual misconduct, despite the fact the blurb and the report were completely unrelated. Thus, in order to ascertain an accurate figure between these dates, we would have to manually search every single report of misconduct between these 4 years.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

However, under our s16 duty aid where we can, please find below the rest of the information we could obtain before the time limit was reached.

Q1:

2021

None

2020

1 x PCSO – Resigned under investigation, part of investigation related to Sexual Assault albeit no criminal complaint was made - Police Staff Hearing in 2021 **(Internal Conduct, not a public complaint)**

1 x Special Constable – Sexual assault, no criminal complaint made. Allegation not upheld **(Internal Conduct, not a public complaint)**

1 x Police Officer – Sexual Assault – Ongoing – Suspended from Force **(Internal Conduct, not a public complaint)**

1 x Police Officer – Accusation of Rape – Not upheld

2019

1 x Police Officer – Sexual Comments/Harassment – Not upheld **(Internal Conduct, not a public complaint)**

2018

1 x Police Staff (Not PCSO) – Abuse of Position – Dismissed

1 x Police Officer – Sexual Comments - Misconduct Hearing – Written Warning **(Internal Conduct, not a public complaint)**

1 x Police Officer – Accusation of Rape – Not upheld

1 x Police Staff (Not PCSO)– Sexual Assault, not upheld but staff member dismissed for honesty and integrity.

2017

1 x Police Officer – Sexual Assault, no case to answer, Criminal and Gross Misconduct - Dismissed for Assault.

1 x Police Staff (Not PCSO) – Accusation of rape x 2 – Not upheld.

1 x Police Officer – Sexual Assault – Not upheld

2016

None

Q2: 2021 – None

2020 – None (internal conduct cases ongoing)

2019 – None

2018 – Three (2 x Dismissals) (1 x Written Warning relating to internal conduct matter)

2017 – One (dismissal)

2016 – None

2015 – None

2014 – None

2013 – None

2012 – None

Q3: 2021 – None

2020 – None (internal conduct cases ongoing)

2019 – None

2018 – Two

2017 - One

2016 – None

2015 – None

2014 – None

2013 – None

2012 - None

Q4:

2018 – Police Staff (not PCSO) sent inappropriate text messages to victim of crime.

2018 – Police Staff member investigated for criminal offences of sexual assault on female – criminal offence case not proceeded with – Police Staff Hearing finding - dismissed for Honesty and Integrity

2017 – Officer dismissed following criminal conviction for 2 x Common Assault on his partner.

Q5: As per the above – 2018 – 1 case upheld – Written Warning issued.

2015 – Internal conduct – PC – sexual comments/behaviour towards colleagues.

Q6: 2015 – Above PC was dismissed at Gross Misconduct Hearing.

Q7: 2015 - Misconduct Hearing (held under Police (Conduct) Regulations 2012. PC dismissed for making inappropriate sexual comments and inappropriate behaviour towards female colleagues.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire 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 exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk