

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

XXXXXX – by email

Date: 13th September 2021

Your ref: FOI

Our ref: FOI 2021 / 731

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 12th September 2021 concerning Sexual Assaults, Rapes and DV Incidents.

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 the information you have requested.

You wrote:

Please can you provide some data on sexual assaults, rapes and reported domestic violence incidents in the Wiltshire and Swindon area in the calendar years 2016, 2017, 2018, 2019 and 2020.

Please can you report the following:

- (a) the number of reported domestic violence incidents in Wiltshire and Swindon that took place in each of the above years.
- (b) the number of these that led to prosecution of the perpetrator in each of the above years.
- (c) the number of rapes and/or sexual assaults that took place in women only toilets in Wiltshire and Swindon in each of the above years.
- (d) the number of these rapes and/or sexual assaults in women only toilets where the perpetrator was a man dressed in women's clothing in Wiltshire and Swindon in each of the above years.
- (e) the number of these rapes and/or sexual assaults in women's only toilets in Wiltshire and Swindon carried out by transgender people in each of the above years.



INVESTOR IN PEOPLE

- (f) the number of rapes and/or sexual assaults carried out by either men dressed in women's clothing or transgender people in women's only toilets that did not lead to prosecution of the perpetrator in Wiltshire and Swindon in each of the above years.
- (g) the total number of reported rapes and/or sexual assaults in Wiltshire and Swindon in each of the above years.
- (h) Overall the number of all these total reported rapes and/or sexual assaults that led to prosecution of the perpetrator in each of the above years.

Our response:

The information that you are requesting for the majority of your request (namely questions C , D , E and F) is not stored in a way which permits easy retrieval.

Whilst our Crime Recording system(s) are very sophisticated, we do not have separate fields in which to record (and hence conduct searches on) to ascertain whether or not offences were committed in women-only toilets, what clothing the perpetrator was wearing or whether the offender was a transgender individual.

The only way to identify the information you require for these 4 questions would be to access and then read each of the full crime / incident logs for each of these occurrences to determine whether this information had even been recorded or not, and then make a sperate note of it. The number of these crimes and incidents runs into many thousands of individual records.

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.

Although excess cost removes the forces' 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. What I am able to provide you are the answers documented below :-

Question A

The number of DV crimes and incidents that occurred in Swindon & Wiltshire for the time period you require have been as follows :-

Reported.Year	Crimes	Non Crime Incidents
2016	5416	5667
2017	5583	5422
2018	6212	6110
2019	6664	6501
2020	7310	7034

Question B

Wiltshire Police do not hold any information in respect of prosecutions – to ascertain this information you will need to contact the CPS directly.

However, the number of these crimes where the perpetrator was charged and/or summonsed for the time periods you require are as follows :-

Reported.Year	Crimes
2016	913
2017	736
2018	569
2019	536
2020	477

Question G

The total number of reported Rapes and/or Sexual Assaults in Swindon & Wiltshire for the time periods you require are as follows :-

Reported.Year	Crimes	Non Crime Incidents
2016	957	70
2017	1228	100
2018	1237	95
2019	1104	143
2020	1035	115

Question H

As per Question B, Wiltshire Police do not hold any information in respect of prosecutions – to ascertain this information you will need to contact the CPS directly.

However, the number of these crimes where the perpetrator was charged and/or summonsed for the time periods you require are as follows :-

Reported.Year	Crimes
2016	76
2017	82
2018	61
2019	55
2020	37

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of questions C,D,E and F to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

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,

Nick Penny
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 Fol 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