



Force Disclosure Unit

Wiltshire Police HQ
London Road
Devizes
Wiltshire
SN10 2DN
Tel 101 ext. 62005

www.wiltshire.police.uk
disclosure@wiltshire.police.uk

Date: 28/10/2021

Your ref: **FOI**

Our ref: FOI 2020/798

Reply contact name is

Dear ****,

I write in connection with your request for information, dated 06/10/2021, concerning allegations of sexual misconduct against police officers and police staff employed by Wiltshire police.

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 it is not possible to meet your requirements in full.

You wrote:

1, how many allegations of sexual misconduct were made in the calendar years 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021 (as far into 2021 as possible) against police officers and police staff employed by your force

By sexual misconduct I mean sexual harassment, indecent exposure, gender-based stalking or online harassment, sexual assault, rape and anything else you would consider as sexual misconduct.

For each allegation, please tell me:

- 2, a description of the alleged behaviour
- 3, whether the person making the allegations was a member of the public or employed by the police*
- 4, whether the person making the allegations was male, female or non-binary*
- 5, whether the accused was male, female or non-binary*
- 6, the rank of the accused*
- 7, whether the accused was charged
- 8, whether the accused was convicted
- 9, the outcome of any professional misconduct investigation



INVESTOR IN PEOPLE

Response:

The information you are requesting is not stored in a way which permits for easy retrieval. In order to provide the level of information requested, following a broad search, a manual review of those misconduct files would then be required for the full period requested.

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. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

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 can provide you with is documented below:

<u>Rank/Staff of Subject</u>	<u>Description of Allegation</u>	<u>Victim - Public or Member of Wiltshire</u>	<u>Charge?</u>	<u>Convicted?</u>	<u>Outcome of misconduct investigation</u>
2021					
PC	Sexual Assault	Public	No	No	Dealt with under the reasonable and proportionate complaint handling process
Police Staff	Sexual Harassment	Member of Wiltshire Police	No	No	Dismissed
2020					
PCSO	Sexual Harassment	Member of Wiltshire Police	No	No	Dismissed
SPC	Sexual Assault / Sexual Comments	Member of Wiltshire Police	No	No	Allegation dealt with under the reasonable and proportionate review process
PC	Sexual Assault	Public	No	No	Allegations not upheld
Police Staff	Sexual Harassment	Member of Wiltshire Police	No	No	Allegations not upheld
PC	Accusation of Rape	Member of Wiltshire Police	No	No	No further action due to evidential difficulties
2019					
PC	Sexual Assault	Member of Wiltshire Police	No	No	Dismissed
PC	Sexual Assault	Public	No	No	Victim did not wish to proceed with complaint

PC	Sexual Comments	Member of Wiltshire Police	No	No	Misconduct hearing resulting in a written warning
PC	Abuse of Position	Public	No	No	Dismissed
<u>2018</u>					
Police Staff	Abuse of Position	Public	No	No	Dismissed
PC	Sexual Assault	Public	No	No	Allegations not upheld
PC	Accusation of Rape	Public	No	No	Allegations not upheld
PC	Accusation of Rape	Public	No	No	Allegations not upheld
PC	Sexual Assault	Public	No	No	Allegations not upheld
PC	Sexual Assault	Public	No	No	Allegations not upheld
Police Staff	Sexual Comments	Member of Wiltshire Police	No	No	Allegations not upheld
<u>2017</u>					
PC	Sexual Assault	Public	No	No	Allegations not upheld
PC	Accusation of Rape	Public	No	No	Allegations not upheld
PC	Sexual Assault	Member of Wiltshire Police	No	No	Allegations not upheld
PC	Accusation of Rape	Public	No	No	Allegations not upheld
<u>2016</u>					
PC	Sexual Assault	Public	No	No	No further action
<u>2015</u>					
PS	Sexual Assault	Public	No	No	No further action
PC	Sexual Assault	Public	No	No	Allegations not upheld
PC	Sexual Assault	Public	No	No	Allegations not upheld
PC	Rape	Public	No	No	Allegations not upheld
SPC	Sexual Harassment	Public	No	No	Allegations upheld - officer resigned
SPC	Sexual Harassment	Public	No	No	Allegations upheld - officer resigned

If we were to provide you with the remaining requested information for the time period provided, due to the incredibly low numbers it is possible that individuals could be identified, this response would therefore be likely to incur a further exemption.

Section 17 of the Freedom of Information Act 2000 requires Wiltshire Police, when refusing to provide 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. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemption applied:

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.

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

Yours sincerely

Force 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.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

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>