



Force Disclosure Unit

Wiltshire Police HQ
London Road
Devizes
Wiltshire SN10 2DN
Telephone: 101
Extn 62005
e-mail

disclosure@wiltshire.police.uk

Date 11 November 2021

Your ref

Our ref: FOI 2021/857

I write in connection with your request for information, dated 15th October concerning complaints against officers dealing with rape and sexual assault cases.

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.

Following receipt of your request, research was conducted by the professional standards of Wiltshire Police.

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

You wrote:

1a) The total number of **complainants** who have complained **about the force's handling of their allegation** of sexual assault or rape in the years 2018, 2019, 2020 and from the beginning of 2021 to the present day. Please can I have this information broken down by calendar year?

1b) For each complainant's case, please could you provide a description of the complaint in detail. I understand that this will not include any identifying details, but please provide details such as gender and age. Please also set out where the alleged incident occurred more generally e.g. in a park, shopping centre, etc. In instances where this would make the victim identifiable, I understand that this is not information you will be able to provide,

For each individual, please answer the following questions:

- Is this the only complaint the complainant has made?
- What was the original allegation of sexual assault/rape, when did this alleged crime take place and where did it take place (as explained above)

1c) In terms of the police's dealing with the complainant, please could you tell me:

- What did the force do when they were initially approached by the complainant i.e. phone conversation or meeting in person; how long did these dealings last i.e. how many times did you meet/call and how long did meetings/calls last
- Were any of the following steps taken, for example: CCTV collected, alleged victim's clothing taken, any witnesses spoken to
- How long did you spend on the investigation overall

1d) For each complaint, please provide in detail the outcome against the force/officers including;

i) whether each complaint was upheld or not upheld, and the description under which this fits. For example, this could include (but is not limited to) a finding that there was no case to answer; no further action, or a finding that the service provided was acceptable.

ii) whether the complaint involved a misconduct hearing against officer(s) and whether this was held in public or private

iii) what was the final disciplinary result, which could include (but not limited to) officer(s) receiving a written statement; other disciplinary action, or dismissal.

Response:

The information that you are requesting is not stored in a way which permits easy retrieval. Our system in which our complaints are logged do not mandatorily distinguish if the said complaint was in relation to an officer, nor are they specific to an offence. This means in order to obtain all the information you are seeking, we would have to manually sift through all complaints made in relation to sexual abuse over the timeframe dictated. 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.

Normally, our section 16 duty to provide advice and assistance, we would recommend you change your wording to make it more manageable, however due to the issues outlined above, we cannot in this 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

Force Disclosure Decision Maker

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



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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 Manager
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 Manager 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 Manager 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/>