

**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: 10th October 2022

Your ref: FOI

Our ref: FOI 2022 / 789

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 6th October 2022 concerning Sextortion 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.

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

You wrote:

- 1) From 1st January 2022 to 30th June 2022 how many incidents of 'sextortion' - i.e. the practice of extorting money or sexual favours from someone by threatening to reveal evidence of their sexual activity - were reported to your force?
- 2) Of these, how many resulted in prosecution; and, of those that were prosecuted, how many resulted in a conviction [if you hold this information]?
- 3) Please provide me with the same information for the calendar years 2021, 2020, 2019, 2018 and 2017.
- 4) Please provide me with copies of the first 3 MOs that relate to sextortion that were logged in 2022.

[Note: To avoid falling into an exemption I am content for the names, ages, geography or any other detail to be redacted to allow for the disclosure of the incident.]

Our response:

The information that you are requesting for the majority of your request (namely questions 3) is not stored in a way which permits easy retrieval.



INVESTOR IN PEOPLE

There is currently not a specific Home Office crime recording code for the reporting of offences related to Sextortion. Any offences of this nature are recorded under the generalised Home Office Crime Code of 035 (Blackmail).

The information you are requesting for Q3 could only be found by locating and reading each and every Crime Log under the HO Code 035 to determine whether or not it met your criteria as being a perceived crime of Sextortion.

For the time period you have requested, Wiltshire Police have recorded nearly 1000 cases of Blackmail under HO Code 035. Even allowing a very generous 3 minutes per record, 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.

The following also need to be remembered in respect of this request :-

- There is no obligation on an Authority to create data (where none actually exists today) simply to answer an FOI Request.
- Whilst we hold data on individuals that have been charged for offences, we do not hold conviction data – this would need to be sourced directly from CPS.
- ICO guidance in respect of FOI requests states that should any one part of a request exceed the permitted time-cost limit that renders the whole of the request exempt under Section 12.

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of questions 3 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 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