

WILTSHIRE POLICE



XXXXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 28th November 2022

Our Ref FOI 2022/774

Dear XXXXX,

I write in connection with your request for information dated 29th September 2022, concerning rape, sexual assault / harassment and/or bullying complaints against serving Officers. Please accept my apologies for the delay in providing a response.

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 Department at Wiltshire Police. Your request for information has now been considered and I am able to respond as follows.

You wrote and our response:

I am writing to you under the Freedom of Information Act (2000) to ask that you please disclose how many formal complaints of **rape, sexual assault, indecent assault, sexual harassment, harassment and/or bullying** were brought against serving officers of the police force that falls under your remit, both internally and externally, in the last **3 years (2019-20, 2020-21 and 2021-22)**.

Specifically:

The below has been provided in line with the allegation types that are available within our case management system. There is no allegation type for bullying, this response would require a free text/manual search of thousands of records.

1. How many of these allegations have been made against serving male officers in each of the three years identified above?

2019/2020 - 3 x sexual assault, 1 abuse of position for a sexual purpose, 1 x other sexual conduct

2020/2021 - 1 x sexual assault, 1 x abuse of position for a sexual purpose, 3 x sexual harassment, 8 x other sexual conduct,

2021/2022 - 3 x sexual assault, 3 x sexual harassment

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2. How many of these allegations have been made against serving female officers in each of the three years identified above?

0

3. How many of these allegations against male officers were upheld?

2019/2020 - 2

2020/2021 - 7

2021/2022 - 3

4. How many of these upheld allegations against male officers resulted in disciplinary action?

2019/2020 - 2

2020/2021 - 7

2021/2022 - 2

5. How many male officers were dismissed from the force as a result of the disciplinary action (answer to Question 4) taken against them?

As a result of the investigations that were recorded between 2019/2020, 2 officers were dismissed.

As a result of the investigations that were recorded between 2020/2021, 1 officer was dismissed.

As a result of the investigations that were recorded between 2021/2022, 1 officer was dismissed.

6. How many female police officers were dismissed from the force as a result of the disciplinary action (answer to Question 4) taken against them?

0

7. How many male officers have resigned **or** retired before the outcome of a police misconduct hearing (in the last 3 years 2019-2020, 2020-2021 and 2021-22)?

2019/2020 - 0

2020/2021 - 1

2021/2022 - 0

8. How many Non Disclosure Agreements have female police officers signed as victims of rape, sexual assault, indecent assault, sexual harassment, harassment and/or bullying as of the last 3 years 2019-2020, 2020-2021 and 2021-22?

This information cannot be searched on within the system used by our Professional Standards Department, however they are not aware of any NDA's in connection with any investigation.

Please note: There are 2 ongoing investigations, therefore providing information relating to these is exempt by virtue of Section 31(1)(g) by virtue of (2)(b) - Law Enforcement.

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Section 31 is a qualified prejudice-based exemption and therefore requires Wiltshire Police to establish the harm in disclosure, along with the public interest favouring and against disclosure.

Harm test

Our Professional Standards Department conduct investigations into complaints made about officers, staff or the organisation. To disclose information into the public domain relating to ongoing complaints would likely hinder these investigations, and prejudice this process and any decisions that are to be made. This could also affect any future complaint investigations, and may impact the public in relation to them reporting offences to the Force. This would in turn prejudice our ability to prevent and detect crime, and apprehend and prosecute offenders; subsequently effecting the Force's ability to protect the community.

Factors favouring disclosure

Placing information into the public domain regarding misconduct allegations would lead to increased public awareness of this issue within Wiltshire Police. Disclosure would also ensure the Force can be held accountable for the actions taken, and show us as being as open and transparent with the public as possible.

Factors against disclosure

Placing information into the public domain regarding ongoing complaints would likely hinder the investigations that are being conducted, and in turn prejudice decisions which are yet to be made. This could also hinder and prejudice any future complaint investigations that will be conducted by the Professional Standards Department.

Additionally, if Wiltshire Police are seen to disclose information regarding ongoing investigations into the public domain, the public will lose confidence in the Force and our ability to handle sensitive information. This in turn may lead to a reduction in reporting of criminal offences to the Force, which would be detrimental to our policing purpose of preventing and detecting crime and apprehending and prosecuting offenders.

Balance test

Whilst there is a public interest in transparency and openness between the Force and the public, in addition to the public seeing how the Force are engaging with and handling these types of issues, there is a greater public interest in ensuring the public are protected and that the enforcement of the law is upheld. To disclose information which is likely to prejudice ongoing investigations would seriously undermine the effective delivery of our policing purpose - to prevent and detect crime, and apprehend and prosecute offenders - and is therefore exempt from disclosure.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, 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.

Exemptions applied:

Section 31(1)(g) by virtue of (2)(b) – Law Enforcement

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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,

Abigail Standidge

Phone: 01722 547081

Email: abigail.standidge@wiltshire.police.uk

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



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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 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 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

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 to contact them, please visit <https://ico.org.uk/global/contact-us/>

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