

WILTSHIRE POLICE



XXXX - Via email

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

Date 22nd February 2024

Our Ref FOI 2024-182

Dear XXXXX,

I write in connection with your request for information dated 12th February 2024, concerning sexual assaults and rapes.

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 Business Intelligence at Wiltshire Police. 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 me with the following:

1. The number of reported sexual assaults which took place where the location was listed as 'barracks'; 'garrison' or Larkhill Garrison; Tidworth, Netheravon and Bulford Garrison; Tidworth Camp; Perham Down Camp; Bulford Camp; Netheravon Station; Warminster Garrison; Battlesbury Barracks; Waterloo Lines; Harman Lines between 1 January 2018 and 31 December 2023. Please include in your response whether the report led to a charge or a summons.
2. The number of reported rapes which took place where the location was listed as 'barracks'; 'garrison' or Larkhill Garrison; Tidworth, Netheravon and Bulford Garrison; Tidworth Camp; Perham Down Camp; Bulford Camp; Netheravon Station; Warminster Garrison; Battlesbury Barracks; Waterloo Lines; Harman Lines between 1 January 2018 and 31 December 2023. Please include in your response whether the report led to a charge or a summons.
3. The number of reported sexual assaults where the alleged perpetrator was recorded as being a member of the British armed forces between 1 January 2018 and 31 December 2023. Please include in your response whether the report led to a charge or a summons.
4. The number of reported rapes where the alleged perpetrator was recorded as being a member of the British armed forces between 1 January 2018 and 31 December 2023. Please include in your response whether the report led to a charge or a summons.

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Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

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.

The type of information you require is not stored in a way which allows for easy retrieval. When recording a crime, Wiltshire Police do not have a specific field in which to indicate that the suspect of an offence was a member of the British armed forces. To ascertain whether they were, we would need to manually peruse all relevant crime reports within the timeframe given.

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 falls under the exemption of section 12 of the Freedom of Information Act 2000.

Please note:

If one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Forces may use different recording systems; therefore, it may be possible some Forces can provide this information where others cannot.

Ordinarily under our Section 16 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved. In respect of other questions within your request, I cannot think of a way in which you would be able to refine these questions, as they may incite further exemptions dependent on what information we may or may not hold.

Section 17 of the Freedom of Information Act 2000 requires 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.

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Please contact me if you would like to discuss the withheld information.

Yours sincerely,

Force Disclosure Decision Maker