

WILTSHIRE POLICE



XXXXX – Via email

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

Date 24th June 2024

Our Ref FOI 2024-567

Dear XXXXX,

I write in connection with your request for information dated 10th June 2024, concerning complainants of RASSO offences.

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 Team Performance and Violence Abuse and Intimidation against Women and Girls 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:

I write under the terms of the Freedom of Information Act, to request information on incident logs and crime reports where the complainant reported sexual assault, rape or other RASSO offences and was, at a later date, arrested, interviewed as a suspect voluntarily or charged.

I am looking for all data in the last 5 years, between June 2019 - June 2024.

I would like the information to be broken down into the following:

- The number of arrests for wasting police time of individuals who were original complainants of a RASSO offence.
- The number of voluntary suspect interviews for wasting police time of individuals who were original complainants of a RASSO offence.
- The number of charges for wasting police time of individuals who were original complainants of a RASSO offence.
- The number of arrests for PCJ of individuals who were original complainants of a RASSO offence.
- The number of voluntary suspect interviews for PCJ of individuals who were original complainants of a RASSO offence.

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- The number of charges for PCJ of individuals who were original complainants of a RASSO offence.

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 information you are requesting is not stored in a way which permits for easy retrieval. In order to ascertain the information that you have requested, we would need to locate all occurrences related to wasting police time before we could then further interrogate each of these incidents to determine whether or not they are related to RASSO.

Wasting police time is not a searchable offence on our crime recording system, therefore we would be required to manually review every occurrence during the time period in question in order to determine whether the offence was relevant to the request. Within the requested time frame, there are thousands of offences, and each occurrence would take an average of approximately 5 minutes to review.

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.

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.

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

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(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.

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

Yours sincerely,

Force Disclosure Decision Maker