



Our Ref: 000924/21

Your Ref:

Address Correspondence to: Information Management

Date 15 April 2021

Freedom of Information Act 2000

I write further to your request for information received 18/03/2021.

I note you seek access to the following information:

1. *The number of reports of sexual offences, allegedly perpetrated by police officers, community support officers, or staff members employed by your force, received by your force for each calendar year for 2017, 2018, 2019 and 2020.*
For each report please
2. *A brief description of the alleged wrongdoing i.e. nature of the offence*
3. *The outcomes of any criminal investigation and misconduct investigation*
4. *Whether the report was referred to IPOC*

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

1. Leicestershire Police recorded the below reports of sexual offences allegedly perpetrated by Officers, PCSOs, or Staff employed by our Force in the period requested:
 - a. 2017 – 11
 - b. 2018 – 5
 - c. 2019 – 7
 - d. 2020 – 7
2. Descriptions of the alleged wrong doings are considered exempt by virtue of Section 40 (2) set out below.
3. Below are the results of the misconduct and where applicable criminal proceedings:

Misconduct Outcome:

Year	Outcome	Number
2017	Case to Answer	2
	Dismissed without notice for other matters	1
	No case to answer	4
	Not Upheld	4
2018	Case to Answer	2
	No Case to Answer	2
	Withdrawn	1
2019	Ethical Interview	1
	No Case to Answer	3
	No Further Action	2
	Not Upheld	1
2020	No Case to Answer	1
	No Further Action	3
	Service Acceptable	2
	Withdrawn	1

Criminal Outcome:

Year	Outcome	Number
2017	Caution	1
	Guilty and Imprisoned	1
	NFA – for Other Sexual Offences	1
	No Charge	1
	N/A	7
2018	Guilty and Imprisoned	1
	No Charge	2
	N/A	2
2019	No Further Action	3
	N/A	4
2020	N/A	7

4. Of these, the below numbers were reported to the IOPC:

- a. 2017 – 9
- b. 2018 – 5
- c. 2019 – 3
- d. 2020 – 3

Section 40 (2) – Personal Information

Section 40(2) is a class based absolute exemption and as such legislators have identified that there would be harm in disclosure and there is no requirement to evidence this or consider the public interest test. However, as Section 40(2) is engaged and in order to make the exemption absolute we need to evidence that a data protection principle would be breached by disclosure. In this case it would not be fair to process confidential information which could lead to the identification of an individual, therefore the first principle of the Data Protection Act would be breached.

Any further information is considered exempt by virtue of Section 30.

Application of Section 30 – Investigations

Section 30 is a class based exemption which means that I am not required to demonstrate the harm that disclosure would cause. However, I am still required to conduct a public interest test which highlights the factors for and against disclosure.

Considerations favouring disclosure

There is already a public knowledge that investigations are conducted into these types of offence by Leicestershire Police. Therefore the public would have a genuine interest in being informed of the information you have requested. It would also enable the public to see how public funds are spent in the course of operational policing.

Considerations favouring non-disclosure

The information requested covers recent months, as a result cases included in this may still be under investigation. Disclosure of information relating to live investigations may alert those committing crimes as to whether their offence is under investigation or not and may severely impact any current investigations.

I see no tangible benefit to the community at large if this information was released on this occasion.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer
Leicestershire Police

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