



Our Ref: 001275/21

Your Ref:

Address Correspondence to: Information Management

Date 12 May 2021

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 14/04/2021 in which you requested the following information: -

- 1.How many currently serving police constables (all ranks) and civilian employees have criminal convictions?*
- 2.How many serving police constables (all ranks) have been convicted of a driving offence to which is current and their licence endorsed?*
- 3.To date. How many police constables (all ranks) have been dismissed from the force?*
- 4.To date. How many police constables (all ranks) have resigned prior to the completion of disciplinary hearings.*
- 5.To date. How many police constables (all ranks)and civilian employees have been dismissed and or criminally convicted of child sex crime - sexual assault, rape, offences against children, grooming of any kind, keeping making or transmitting indecent images of a child. Please list by crime and number of constables/civ staff concerned.*

There have been multiple reports in local media over the years however it is in the public interest to quantify this data in one place via this FOI request.

Clarification Sought

In order for us to process your request please could you clarify what time period you require for questions 2-5?

Response to clarification

*Dear FOI, Please provide the information from:
(1839 - formation of the constabulary*

I can confirm, pursuant to s1(1)(a) of FOIA that this Force does hold the information you have requested.

1. How many currently serving police constables (all ranks) and civilian employees have criminal convictions?
15
2. How many serving police constables (all ranks) have been convicted of a driving offence to which is current and their licence endorsed?
2 (1 in 2000 and 1 in 2008). To provide any further breakdown of detail of licence endorsed or current would be considered exempt by virtue of Section 40 (2)

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.

Questions 3-5 of your request are considered exempt by virtue of Section 12.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire 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(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

There are 163 electronic records (since 1993) where there is a resignation mentioned. Each record will need to be examined individually to establish the stage at which the resignation was received. The records for the previous 70 years would be more difficult to determine. We would be able to state a resignation but not at what stage of the process.

Records are available back to 1920 for quest 5 but will take considerable time to examine, therefore invoking a Section 12 refusal.

Therefore in order to respond to the above questions, I would suggest it would take a number of days to extract this information from the records available.

In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be

apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer any of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the "appropriate level" as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to the 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.

Freedom of Information Officer

Leicestershire Police