



Our Ref: 001298/21

Your Ref:

Address Correspondence to: Information Management

Date 13 May 2021

### **Freedom of Information Act 2000**

I write further to your request for information received 15/04/2021.

I note you seek access to the following information:

1. *How many allegations of sexual misconduct were made in the calendar years 2018, 2019 and 2020 against police officers employed by your force*

*By sexual misconduct I mean sexual harassment, indecent exposure, gender-based stalking or online harassment, sexual assault, rape and anything else you would consider as sexual misconduct.*

*For each allegation, please tell me:*

2. *a description of the alleged behaviour*
3. *whether the person making the allegations was a member of the public or employed by the police\**
4. *whether the person making the allegations was male, female or non-binary\**
5. *whether the accused was male, female or non-binary\**
6. *the rank of the accused\**
7. *whether the accused was charged*
8. *whether the accused was convicted*
9. *the outcome of any professional misconduct investigation*

*\* Please only include if it does not take the request over the cost threshold or reveal identifying personal information*

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: -**

Please see attached spreadsheet containing information relating to your request.

Information relating to the detail of the allegation is 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.

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 relates to 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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