



Our Ref: 001625/21

Your Ref:

Address Correspondence to: Information Management

Date 26 May 2021

Freedom of Information Act 2000

I write further to your request for information received 12/05/2021.

I note you seek access to the following information:

1. *How many schools and colleges (education to 18) reported sexual misconduct to the Leicestershire Constabulary in the years 2019 and in 2020?*
2. *How many allegations of sexual misconduct reported to the Leicestershire Constabulary were made against another student?*
3. *What action was taken in respect of the students who were found to have committed sexual misconduct?*
4. *How many allegations of sexual misconduct reported to the Leicestershire Constabulary were made against a school staff-member?*
5. *What action was taken in respect of the staff members who were found to have committed sexual misconduct?*
6. *How many of reports of sexual misconduct in schools reported to the Leicestershire Constabulary were upheld in court?*
7. *What steps are taken to investigate complaints of sexual misconduct in schools by the Leicestershire Constabulary?*

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.

Please note, information relating to question 6 would need to be requested from HMCTS.

Information relating to question 7 is considered exempt by virtue of section 31.

Section 31 is a prejudice based, qualified exemption and there is a requirement to articulate the harm that would be caused as well as carrying out a public interest test.

Section 31 – Evidence of Harm

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate.

However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over the police.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure.

Effective policing requires the active participation of a wide number of agencies in order for it to be successful. As a result, during the course of an investigation, information is discussed and provided with the confidence that it will be treated confidentially. If a disclosure was made under the Act that broke this confidence, it would mean that information is not discussed and would severely impact on the process of law enforcement.

Section 31 – Considerations favouring disclosure

There is a public interest in disclosure of the requested information as it would allow the public to discuss the conduct of the investigation and would therefore raise the Force's accountability. It would also aid transparency and allow any failings to be discussed in the public domain.

Disclosure would also enable the public to see how public funds are spent during the course of this type of investigation and would demonstrate the effective partnership work the Force undertakes with external agencies such as local authorities.

Section 31 – Considerations favouring non - disclosure

I am of the opinion that it is not in the public interest to disclose sensitive information that relates to this type of investigation on this occasion. The information requested contains a wealth of information that if disclosed, would reveal police tactics and evidence gathering techniques along with other information which is vital to Law Enforcement.

If this was released into the public domain, it would allow those like minded to commit crime to be aware as to how this type of investigation is conducted. It would therefore give them an added advantage should they wish to impede a future investigation and would significantly weaken our law enforcement capabilities.

Conclusion

I believe that on balance it is **not** in the public interest to release information which you have requested in question 7 on this occasion for the reasons stated above. I appreciate that this is not the decision you had hoped for but I must consider the wider position under the Freedom of Information Act 2000 which I feel necessitates the need to refuse your request under this legislation.

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

Leicestershire Police in complying with their statutory duty under sections 1 and 11 of the Freedom of Information Act 2000 to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law.

Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to The Information Manager, Leicestershire Police Headquarters, St. Johns, Enderby, Leicester LE19 2BX.