

Freedom of Information Request Reference N°: FOI 001783-18

I write in connection with your request for information received by Suffolk Constabulary on the 21 May 2018 in which you sought access to the following information:

"I am writing to request data in relation to s.4 Sexual Offences Act 2003; causing a person to engage in sexual activity without consent. Under the Home Office Counting Rules for Sexual Offences, the code associated with this offence is 22A. Reading the codes under this offence as referring to male and female victims when talking about male and female persons, I am specifically interested in those offences coded under 22/2 and 22/3 involving penetration (please see –

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/602801/count-sexual-apr-2017.pdf p.40)

In the 'Overview of Sexual Offending in England and Wales' overview tables (available here – https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214971/overview-sexual-offending-jan-2013-tables.zip) data is provided in relation to the reporting of a range of sexual offences, but does not include specific data relating to the offences coded under 22/2 and 22/3. I would like the equivalent of the data provided in these tables and in the same format in relation to the offences coded under 22/2 and 22/3, including a break-down of this data into the defendants' sex, age group, and ethnicity. This translates to requesting the equivalent information and in the same format as that provided in the following overview tables:

- 3.2*
- 3.3*
- 3.4*
- 3.5*
- 3.7*
- 3.8*

I would like this data for the years 2005 to 2011 (reflecting the overview tables), plus any subsequent years it is available."

Response to your Request

The response provided below is correct as of 4 June 2018

Suffolk Constabulary has considered your request for information and the response is below.

A search has been completed of the Constabulary's crime system for all sexual offences coded under Home Office classification 22/2 and 22/3 for the 2005 – 2018 calendar years.

The table provided below confirms the home office code, year and gender, age and ethnicity of offender.

Please note the age and ethnicity of the suspect has not been provided in respect of the live investigations, as a result of exemptions within the Act.

Offence Class Code	Year Reported				Outcome
		Gender	Age	Ethnicity	
22/03	2006	Male	Not Known		Undetected
22/03	2008	Male	32	White	Undetected
22/03	2009	Male	32	White	Caution
22/03	2009	Male	32	White	No Further Action
22/02	2006	Male	16	IC1	Undetected
22/02	2011	Male	57	White	No Further Action
22/03	2010	Male	18	Not Known	Undetected
22/03	2011	Female	46	White	No Further Action
022/02	2013	Male	37	White - British	Type 16
022/03	2015	Female	47	White - British	Type 16
022/03	2014	Female	17	White - British	Undetected
022/03	2014	Female	32	White - British	Type 16
022/02	2014	Male	35	Not Stated	Type 15
022/03	2015	Male	38	White - British	No Further Action
022/03	2015	Female	18	White - British	Type 15
022/03	2015	Female	19	White - British	Type 15
022/02	2016	Male	13	White - British	Type 16
022/03	2014	Female	Not Known		Type 14
022/02	2017	Male	31	White - British	Type 15
022/03	2017	Female	41	White - British	Type 16
022/02	2018	Male	Exempt – Section 30		Under Investigation
022/03	2018	Male	Exempt – Section 30		Under Investigation

Outcome Definition

Type 14 – Victim confirms crime but declines/ unable to support police action.

Type 15 – Victim supports police action but evidential difficulties prevent further action

Type 16 – Victim confirms crime but declines/ unable to support police action



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.

Section 17 of the Freedom of Information Act 2000 requires that Suffolk Constabulary, when refusing to provide such information (because the information is exempt) is to provide you the applicant with a notice which:

- (a) States that fact
- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption;

Section 30(1) – Investigations

Public Interest Test

(When applying a qualified exemption a public authority is required to consider whether 'in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information')

Favouring Disclosure

Investigations are expensive and use the resources provided from public funds. To disclose information about such cases would show to the public how we spend their money.

Such information would provide the general public with an understanding that we take such matters seriously and we ensure all offences are investigated thoroughly.

Favouring Non-Disclosure

Information that relates to an investigation will rarely be disclosed under the FOI Act. By doing so we could risk prejudicing this and future like investigations by providing vital information that could provide a tactical advantage over the Constabulary.

Where suspects, witnesses or the victim provides information through the course of the investigation, it is done so in the strictest of confidence for the purpose of which it was required. Provision of information that may identify an individual to the general public would breach that confidentiality, impeding any future assistance that individual can provide.



We are law enforcers and we aim to provide a sufficient and positive approach to the way we conduct our investigations, we would not want a disclosure of this nature to compromise this in any way.

Balancing Test

There is always a public interest in the provision of information that will identify where funds are being spent and that the Constabulary is effectively investigating offences.

However, there is a strong public interest in preserving the integrity of investigations and ensuring that individuals have confidence in approaching the Constabulary with any concerns they may have.

Having weighed up the factors favouring disclosure and those favouring non-disclosure, I have decided that the balance lies with non-disclosure.

Police forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the crime data. It should be noted that for these reasons this force's response to your questions should not be used for comparison purposes with any other response you may receive.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Suffolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.



Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700