



Freedom of Information Request Reference N°: FOI 001566-18

I write in connection with your request for information received by Suffolk Constabulary on the 1 May 2018 in which you sought access to the following information:

“During the period of 1 January 2015 to 1 January 2018, how many Rape offences (HOCR: 19C and 19F) were:

a) Reclassified as Perverting the Course of Justice offences (HOCR: 79) or;

b) Cancelled and a new crime report of Perverting the Course of Justice (HOCR: 79) was raised to replace the original rape offence recorded? [HOCR = Home Office Counting Rule]

Where possible, please provide details of the incident (redacting any identifying information); the gender and age of the individual concerned; the outcome of each incident (e.g. no action/investigation/prosecution) and the length of any potential sentence, where known.

If you can only answer part of the request, please provide partial answers. And if you anticipate any problems with providing the information requested or require clarification, please let me know at the earliest possible stage.”

Response to your Request

The response provided below is correct as of 18 May 2018

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

In relation to your request for information and in accordance with Section 17 of the Freedom of Information Act 2000 (FOIA), this response serves as a formal notification of refusal for your request. Suffolk Constabulary does not hold, for the purposes of FOIA, the information you require in a retrievable format.

It is estimated that to attempt to retrieve all of the information you require would take a considerable amount of retrieval time, which would exceed 18 hours. This would exceed the appropriate limit for dealing with Freedom of Information requests, in terms of costs and therefore Section 12(1) of the Freedom of Information Act 2000 applies.

Information contained within the legacy crime system CIS, which relates to information prior to 19 October 2018, is not held in a format that can easily identify linked offences. The Constabulary would need to review all Rape offences manually to establish whether they were linked to an



offence of perverting the course of justice. Considering the many hundreds of records we would need to review, it would take well in excess of 18 hours to extract data from the legacy system.

Section 12(1) of the Freedom of Information Act 2000 states that a Public Authority is not obliged to: "...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit." The Freedom of Information (Appropriate Limit and Fees) Regulations, defines the 'appropriate limit' for the Suffolk Constabulary as £450 and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17(5) of the Freedom of Information Act 2000, this letter serves as a refusal notice for this part of your request.

By requesting *all* information your request is too broad to be complied with within the £450 limit imposed on Freedom of Information requests.

Although excess cost removes the Force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

- a. A search has been completed of all Rape offences that have an outcome of 'C2 Cancel – Additional Verifiable Information', for the time frame 19 October 2015 – 18 May 2018. Each offence was then reviewed to establish whether any were cancelled as a result of perverting the course of justice.

None of the Rape offences with this outcome were as a result of perverting the course of justice.

- b. A search has been completed of the Constabulary's crime system for all offences of '(Attempt to) Pervert the Course of Public Justice' for the time frame 19 October 2015 – 18 May 2018. Each offence was then manually reviewed to establish whether they were linked to a Rape Offence.

One offence was linked to a previously recorded offence of Rape, details of which are as follows:

Year	Offence	Outcome
2017	Attempting to Pervert the Course of Public Justice	Type 15 - Named Suspect Identified: Evidential Difficulties



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