



**Freedom of Information Request Reference N°: FOI 004310-18**

I write in connection with your request for information received by Suffolk Constabulary on the 23 November 2018 in which you sought access to the following information:

1. *"How many individuals under the age of 18 have been dealt with by means of 'Outcome 21' (per the Home Office counting rules) for any offence relating to consensual child sexting in:*
  - a. 2016
  - b. 2017
  - c. 2018
  
2. *How many individuals under the age of 18 have been deal with by means of a simple or conditional caution for any offence relating to consensual child sexting in:*
  - a. 2014
  - b. 2015
  - c. 2016
  - d. 2017
  - e. 2018
  
3. *How many individuals under the age of 18 have been charged with any offence relating to consensual child sexting in:*
  - a. 2014
  - b. 2015
  - c. 2016
  - d. 2017
  - e. 2018."

**Response to your Request**

The response provided below is correct as of xxx 2018

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

There is no specific offence category for sexting and therefore, the only way to establish the number of offences that fall under this category would be to manual review all offences that fall under the category of 'Take or to make or to distribute indecent photographs or pseudo-photographs, of children' and 'Possession of an indecent or pseudo indecent photo of a child'.

There are a total of 284 offences recorded for 2016-2018 calendar years, each of which would have to be manually reviewed to establish relevancy and whether the sexting was considered consensual or otherwise.



Considering a search of 4 minutes per offence, it would take in excess of 19 hours to extract the relevant information requested, for question 1 alone.

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.

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.

The information provided below pertains to the offences of Take or to make or to distribute indecent photographs or pseudo- photographs, of children and Possession of an indecent or pseudo indecent photo of a child, where the suspect was aged under 18 years old.

1. The total number of offences that were closed with outcome 21, is as follows:

HO Classification	2016	2017	2018
Possession of an indecent or pseudo indecent photo of a child	7	10	7
Take or to make or to distribute indecent photographs or pseudo- photographs, of children	70	107	83

<b>Grand Total</b>	<b>77</b>	<b>117</b>	<b>90</b>
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2. For the offences listed above, the total number of individuals under the age of 18 issued with a caution is as follows:

HO Classification	2014	2015	2016	2017	2018
Possession of an indecent or pseudo indecent photo of a child			1	1	
Possession of an indecent or pseudo photograph of a child	1	2			
Take or to make indecent photographs or pseudo-photographs of children	2				
Take or to make or to distribute indecent photographs or pseudo- photographs, of children			2	1	
<b>Grand Total</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>0</b>

3. For the offences listed above, the total number of individuals under the age of 18 charged with an offence is as follows:

HO Classification	2014	2015	2016	2017	2018
Possession of an indecent or pseudo indecent photo of a child				1	
Possession of an indecent or pseudo photograph of a child	3	2			
Take or to make indecent photographs or pseudo-photographs of children	3	1			
Take or to make or to distribute indecent photographs or pseudo- photographs, of children			2	1	
<b>Grand Total</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>0</b>

***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.***

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

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 40 working 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](mailto: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](http://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