



Freedom of Information Request Reference N^o: FOI 004440-18

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 4 December 2018 which you sought access to the following information:

1. *"How many police cadets have reported being sexually assaulted by a police officer? Please include the rank of officer accused.*
2. *How many of these reports have lead to an investigation?*
3. *How many of these reports have lead to an officer being charged or dismissed for sexually assaulting a police cadet? Please include rank of officer.*
4. *What safe guarding procedures does the force have in place to protect police cadets?*
5. *How many police cadets have reported being physically assaulted by a police officer.*
6. *Please can I have the case notes/ report relating to officer's dismissed or investigated for sexually or physically assaulting a police cadet?*

Here "police cadet" refers to a youngster enrolled in the Volunteer Police Cadet programmes."

Response to your Request

The response provided below is correct as of 12 December 2018

Suffolk and Norfolk Constabularies have considered your request for information and the response is below.

1. The Constabularies can neither confirm nor deny whether any information is held with regards to reports of sexual assaults on police cadets by police officers, as a result of exemptions within the Act.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at section 1(1)(b) is to disclose information that has been confirmed as being held.

Where exemptions are relied upon, section 17 of the FOIA requires that we 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 exemptions apply

Norfolk and Suffolk Constabularies will **neither confirm nor deny** whether it holds the information you have requested, as the duty in section 1(1)(a) of the FOIA does not apply, by virtue of the following exemptions:-

Section 31(3) Law Enforcement

Section 31 is a prejudice based qualified exemption and there is a requirement to articulate the harm that would be caused by confirming or not whether information is held, as well as carrying out a public interest test.

Harm in confirmation or denial of whether information is held

Modern day policing is intelligence led and this is particularly pertinent with regard to law enforcement. Confirming or denying whether information exists in relation to the number of cadets sexually or physically assaulted by police officers, would seriously undermine the Constabularies operational effectiveness in managing such investigations.

Confirmation or denial of what, if any, information is held would highlight whether any such incidents have been reported, compromising the Constabularies ability to carry out current and future investigations effectively.

Victims and witnesses would inevitably be less inclined to provide information to the Police if they perceive that the information will be disclosed under the FOIA.

Public Interest Test

Factors favouring confirmation or denial of whether information is held

The public are entitled to know how public funds are spent, particularly in the current economic climate. Confirming or not whether any relevant information is held would ensure that the public are in possession of information which would lead to accurate public debate.

Factors against confirmation or denial of whether information is held

Confirming whether any information is or isn't held would impact on any current and future operations carried out by the Constabularies. Any disclosure resulting in less information being received from the public, would impact on the Constabularies ability to successfully prevent and detect crime. This would lead to the need for additional public funds.

Balance Test

Whilst there is a public interest in the transparency of policing operations and providing assurance that the Constabularies are appropriately and effectively investigating offences, there is a very strong public interest in safeguarding the integrity of police investigations and operations.

The points above highlight the merits of confirming or denying whether information pertinent to this request exists. However, the Police Service relies heavily on the public and other agencies providing and sharing information to assist in criminal investigations. The public has an expectation that any information they provide will be treated in confidence. Anything which places that confidence at risk, no matter how general, would undermine any trust or confidence in the Constabularies. As stated within the harm we also have a duty to protect and defend victims and vulnerable individuals.

Having weighed up the factors above, I have decided that the balance lies in favour of neither confirming nor denying whether any relevant information is held.

This should not be taken as an inference as to whether information does or does not exist.

2. As per Q1 above
3. No information Held
4. The Constabularies have the following safeguarding procedures:

Suffolk Constabulary:

- All Police Officer and PCSO Leaders complete the public protection awareness training as part of their initial training and there was a relaunch which captured all longer in service officers as mandatory training during 2014/2015.
- All Leaders, including PSV Cadet Leaders complete Suffolk County Council Level 1 Safeguarding training. There are also specific NCALTs which are completed.
- All PSV cadet leaders are vetted to level 2
- All leaders sign a Suffolk Cadets Code of Conduct document which is more comprehensive than the national document, however this document will also be included in future

Norfolk Constabulary:

- Online safeguarding training (level 1,2 and 3)
- A force policy document
- Risk assessments for events and vulnerable individuals

5. As per Q1 above
6. N/A

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/>

Norfolk and Suffolk Constabularies are 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 the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and 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 Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 40 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and 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