



Freedom Of Information

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Website: www.westyorkshire.police.uk

Our ref: 01549/21 01547/21

Date: 30/03/2021

Dear Sir/Madam

Thank you for your request for information received by West Yorkshire Police on 09/03/2021.

ICO Guidance states:

When a public authority is estimating whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if the conditions laid out in regulation 5 of the Fees Regulations can be satisfied. Those conditions require the requests to be:

- ☐ *made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;*
- ☐ *made for the same or similar information; and*
- ☐ *received by the public authority within any period of 60 consecutive working days.*

Your requests have been combined as they both relate to sexual offences, in the same time period, with the same breakdown.

You requested the following information:

I would like information about the number of cases regarding Childhood sexual exploitation which were reported from February 2019 to February 2021.

I would like information about the number of cases regarding Rape and Sexual Assault which were reported from February 2019 to February 2021.

I would like it to include:

- The date in which it was reported.
- The date the crime occurred.
- The age of the victim.
- How many people were charged?
- How long was their conviction for?

Unfortunately, West Yorkshire Police are unable to provide you with the information requested.

There are 411 offences which resulted in a charge outcome. More than one offender could have been charged with the offence, however based on the minimum 411 records would require manually checking

to identify if the offender was convicted for the offence. At 5 minutes per record this would take 34 hours. It is estimated that the cost of providing / locating the information you seek within your request would exceed the time threshold. Where a reasonable estimate has been made that the appropriate limit would be exceeded, there is no requirement for a public authority to undertake the work up to the limit.

Please see Appendix A for the full legislative explanation as to why West Yorkshire Police are unable to provide the information.

West Yorkshire Police will assist you in negotiating the possibility of the provision of some of the information requested. Please see the Advice and Assistance under Section 16 of Appendix A.

COMPLAINT RIGHTS

If you are not satisfied with how this request has been handled or with the information provided, please read the advice notice attached to this letter. If you do wish to take up your right of complaint, please remember to quote the reference number above in any future correspondence.

Yours sincerely

Gemma Burton
Disclosure Officer

Appendix A

The Freedom of Information Act 2000 creates a statutory right of access to information held by public authorities. A public authority in receipt of a request must, if permitted, state under Section 1(a) of the Act, whether it holds the requested information and, if held, then communicate that information to the applicant under Section 1(b) of the Act.

The right of access to information is not without exception and is subject to a number of exemptions which are designed to enable public authorities to withhold information that is unsuitable for release. Importantly the Act is designed to place information into the public domain, that is, once access to information is granted to one person under the Act, it is then considered public information and must be communicated to any individual should a request be received.

DECISION

This letter serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000.

Section 17 of the Act provides:

(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that information is exempt information must, within the time for complying with Section 1(1), give the applicant a notice which:-

- (a) states the fact,
- (b) specifies the exemption in question, and
- (c) states (if that would not otherwise be apparent) why the exemption applies.

REASONS FOR DECISION

The reason that we are unable to provide you with this information is covered by the following exemption(s):

Section 12 - Where the cost of compliance exceeds the appropriate limit

West Yorkshire Police can confirm that we hold the information you seek, however it is not held in an easily retrievable format.

There are 411 offences which resulted in a charge outcome. More than one offender could have been charged with the offence, however based on the minimum 411 records would require manually checking to identify if the offender was convicted for the offence. At 5 minutes per record this would take 34 hours.

It has been estimated that the cost of providing you with this information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, which currently stands at £450 worth of work.

Our NPCC guidance states that we do not issue fees notices and therefore in accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice.

West Yorkshire Police have utilised Section 12, which states "A public authority does not have to comply with a request for information if the cost of compliance exceeds the appropriate limit", this is further affirmed by the Decision Notice issued by the Information Commissioner's Office (Reference: FS50143930), and Guidance issued by the Information Commissioner's Office on Using the Fees Regulations.

ADVICE AND ASSISTANCE

Under Section 16 of the Freedom of Information Act 2000, my duty to provide advice and assistance to persons who have made request for information, please be advised that West Yorkshire Police can offer the following advice:

We can provide the number of recorded crimes, whether the crime resulted in one or more charges and the associated victim ages.

Please note that police forces do not use generic systems or identical procedures for capturing the data. For these reasons this response to your questions should not be used for comparison purposes with responses you may receive from other police forces.

COMPLAINT RIGHTS

1. Are you unhappy with how your request has been handled or you think the decision is incorrect?

You have the right to request that West Yorkshire Police review their decision. Prior to lodging a formal complaint, we encouraged that you discuss the decision with the case officer that has dealt with your request.

2. Ask to have the decision looked at again

The quickest and easiest way to have the decision looked at again, is to telephone the case officer that is nominated at the end of your decision letter. That person will be able to discuss the decision, explain any issues and assist with any problems.

3. Complaint

If you are dissatisfied with the handling procedures or the decision of West Yorkshire Police, made under the Freedom of Information Act 2000 regarding access to information, you can lodge a written complaint to have the decision internally reviewed.

A West Yorkshire Police internal review of your decision, will be carried out by a senior member of staff who is fully trained in interpreting Freedom of Information legislation. The review will be independent conducted, regardless to the original decision made.

Complaints will only be treated as valid, if they are received by West Yorkshire Police within a 60 day timeframe from the date of the decision letter. They must include the original FOI Reference Number and can only be submitted in writing, by using the following contact details:

foi@westyorkshire.pnn.police.uk

or

West Yorkshire Police
FOI Internal Reviews
PO Box 9
Laburnum Road
Wakefield
WF1 3QP

In all possible circumstances, West Yorkshire Police will aim to complete and respond to your internal review within 20 working days. However this date may be extended in exceptional circumstances, by another 20 working days.

4. The Information Commissioner

If you are still dissatisfied with the internal review decision, made by West Yorkshire Police. You can then make an application 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.gov.uk

Alternatively, you can phone their helpline or write to them at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
FOI Help Line: 0303 1231113