



**NORFOLK**  
**CONSTABULARY**  
*Our Priority is You*

Norfolk Constabulary

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### **Freedom of Information Request Reference N<sup>o</sup>: FOI 003318/16**

I write in connection with your request for information received by the Norfolk Constabulary on the 6<sup>th</sup> September 2016 in which you sought access to the following information:

I would like to make a request under the Freedom of Information Act 2000. I would like to know details on reported sex attacks within school grounds logged by your police force from 2011 and 2015.

Could I please get a year-on-year breakdown of the following for the above years?

- 1 The age and gender of the alleged victim (if ID is an issue, please state whether they are under or over 16).
- 2 The age and gender of the alleged perpetrator.
- 3 What sex crimes were reported.
- 4 Was the alleged attacker a teacher or a student.
- 5 Was the alleged victim a teacher or a student.
- 6 How many of the attacks resulted in criminal charges.
- 7 Any names you can provide of suspects that were convicted.

Norfolk Constabulary holds information relevant to your request.

### **Response to your Request**

Norfolk Constabulary has located the following information as relevant to your request.

The Joint Performance and Analysis Department has undertaken research of recorded crimes/investigations where the location is educational premises. Any relating to colleges/universities or training centres have been removed. The response includes all sexual offences as there is no specific offence for sex attack.

Please note that although the location is recorded as a school, this does not necessary mean the offence actually occurred within the school premises, it could have occurred outside the parameter, but the location was the nearest identifiable marker for the purpose of crime recording. Additionally some of the incidents have taken place outside of school hours.

Please be aware that the information provided/researched from the 19 October 2015 has been extracted from the Athena crime system. The information provided is subject to change as processes are amended to ensure accurate and precise crime recording.

2011

Q1 Gender & Age of Victim

Gender	Age at Time					Total
	5	9	11	12	15	
Female	1	1	1	1	3	7
Male	0	0	0	0	1	1
Total	1	1	1	1	4	8

Q2 Gender & Age of Offender/Suspect

Gender	Age at Time							Total
	6	10	15	17	33	38	45	
Female	0	0	0	0	0	0	0	0
Male	1	1	2	1	1	1	1	8
Total	1	1	2	1	1	1	1	8

Q3 Offence Description

Offence Description	Count of Crime
Rape Of A Female Under 16	1
Sexual Assault Of A Female Child Under 13	3
Rape Of A Female Child Under 13 By A Male	1
Sexual Assault On A Female	1
Rape Of Male Aged Under 16	1
Sexual Activity With A Female Child Under 16 – Offender 18 or over	1
Total	8

Q4 Offender/Suspect Occupation

Occupation			Total
Student	Teacher	Not Recorded	
4	2	2	8

Q5 Victim Occupation

Occupation	Total
Student	8

Q6 Disposal/Outcome

Disposal/Outcome	Count of Crime
Undetected	6
A1. Charge	2
Total	8

2012

Q1 Gender & Age of Victim

Gender	Age at Time							Total
	11	12	13	14	15	27	55	
Female	3	1	2	4	3	1	1	15
Total	3	1	2	4	3	1	1	15

Q2 Gender & Age of Offender/Suspect

Gender	Age at Time									Total
	11	12	13	15	16	27	29	31	U/K	
Male	1	3	3	2	1	1	1	1	1	14
Unknown	0	0	0	0	0	0	0	0	1	1
Total	1	3	3	2	1	1	1	1	2	15

Q3 Offence Description

Offence Description	Count of Crime
Exposure	1
Sexual Assault Of A Female Child Under 13	4
Sexual Assault On A Female	6
Abuse Of Position Of Trust – Causing or Inciting A Female Child 13-17 To Engage In Sexual Activity – Offender 18 Or Over	1
Assault On A Female By Penetration	1
Voyeurism	1
Causing/Inciting Female Child Under 16 To Engage In Sexual Activity. No Penetration; Offender Aged 18 or Over	1
Total	15

Q4 Offender/Suspect Occupation

Occupation				Total
Student	Teacher	Classroom Assistant	Not Recorded	
10	2	1	2	15

Q5 Victim Occupation

Occupation		
Student	Classroom Assistant	Total
14	1	15

Q6 Disposal/Outcome

Disposal/Outcome	Count of Crime
Undetected	7

A1. Charge	3
B3. Final Warning	1
R1. Restorative/Youth Restorative Disposal	3
R2. Extended Professional Judgement	1
Total	15

2013

Q1 Gender & Age of Victim

Gender	Age at Time						Total
	8	12	13	14	16	17	
Female	1	1	0	1	1	1	5
Male	0	1	1	0	0	0	2
Total	1	2	1	1	1	1	7

Q2 Gender & Age of Offender/Suspect

Gender	Age at Time				Total
	9	13	15	41	
Male	1	4	1	1	7
Total	1	4	1	1	7

Q3 Offence Description

Offence Description	Count of Crime
Rape Of Male Aged Under 16	2
Sexual Assault Of A Female Child Under 13	2
Sexual Assault On A Female	2
Assault On A Female By Penetration	1
Total	7

Q4 Offender/Suspect Occupation

Occupation		Total
Student	Teacher	
6	1	7

Q5 Victim Occupation

Occupation	Total
Student	7
7	7

Q6 Disposal/Outcome

Disposal/Outcome	Count of Crime
Undetected	4
A1. Charge	1
A3. Summons	1
B3. Youth Conditional Caution	1
Total	7

2014

Q1 Gender & Age of Victim

Gender	Age at Time									Total
	4	7	8	10	11	12	13	15	16	
Female	1	1	1	2	4	2	1	1	1	14
Male	0	0	0	0	0	1	0	0	0	1
Total	1	1	1	2	4	3	1	1	1	15

Q2 Gender & Age of Offender/Suspect

Gender	Age at Time								Total
	6	8	11	13	16	20	41	U/K	
Male	1	2	7	1	0	1	1	1	14
Female	0	0	0	0	1	0	0	0	1
Total	1	2	7	1	1	1	1	1	15

Q3 Offence Description

Offence Description	Count of Crime
Sexual Assault Of A Female Child Under 13	3
Sexual Assault On A Female	2
Abuse Of Position Of Trust – Causing or Inciting A Female Child 13-17 To Engage In Sexual Activity – Offender 18 Or Over	1
Sexual Activity With A Female Child Under 16 – No Penetration – Offender Under 18	1
Sexual Activity With A Female Child Under 13 (no penetration) by an offender under 18 years of age	7
Sexual Activity With A Male Child Under 13 No Penetration	1
Total	15

Q4 Offender/Suspect Occupation

Occupation		Total
Student	Teaching Assistant	
13	2	15

Q5 Victim Occupation

Occupation	
Student	Total
15	15

Q6 Disposal/Outcome

Disposal/Outcome	Count of Crime
Undetected	7
A1. Charge	2
R1. Restorative/Youth Restorative Disposal	6
Total	15

2015

Q1 Gender & Age of Victim

Gender	Age at Time													Total
	4	5	7	8	9	10	11	12	13	14	15	16	17	
Female	1	1	5	3	1	2	1	2	6	6	5	1	0	34
Male	0	1	0	1	0	1	0	1	1	0	1	0	1	7
Total	1	2	5	4	1	3	1	3	7	6	6	1	1	41

Q2 Gender & Age of Offender/Suspect

Gender	Age at Time														Total	
	4	6	7	8	9	10	11	12	13	14	15	16	22	26		U/K
Female	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Male	1	1	6	1	2	2	1	2	4	5	6	3	1	1	5	41
Total	1	1	6	2	2	2	1	2	4	5	6	3	1	1	5	42

Q3 Offence Description

Offence Description	Count of Crime
Sexual Assault Of A Female Child Under 13	11
Sexual Assault On A Female	11
Sexual Assault On A Male	1
Abuse Of Position Of Trust – Causing or Inciting A Female Child 13-17 To Engage In Sexual Activity – Offender 18 Or Over	1
Sexual Activity With A Female Child Under 16 – No Penetration – Offender Under 18	1
Sexual Activity With A Female Child Under 13 (no penetration) by an offender under 18 years of age	2
Causing Of Inciting A Female Child Under 16 To Engage In Sexual Activity-No Penetration-Offender Under 18	1
Sexual Activity With A Female Child Under 13 No Penetration	1
Causing/Inciting A Male Child Under 13 To Engage In A Sexual Activity No Penetration	1

Causing/Inciting A Male Child Under 13 To Engage In A Sexual Activity	1
Rape Of A Female Under 16	3
Rape Of A Male Aged Under 16	1
Rape Of A Male Child Under 13 By A Male	1
Assault On A Female By Penetration	1
Rape Of A Female (16 or Over) (Indictable)	1
Sexual Activity with A Female Child Under 16 by Penetration – Offender 18 or Over (Indictable)	1
Abuse of Position of Trust: Sexual Activity with a Female Child aged Under 13. Suspect aged 18 or Over	1
Rape of a Female (Under 13) (Indictable)	1
Causing or Inciting a Child Under 13 to Engage in Sexual Activity by an Offender Under 18 Years of Age: Male Child – Penetration	1
<b>Total</b>	<b>42</b>

#### Q4 Offender/Suspect Occupation

Occupation			
Student	Teacher/Teaching Assistant	Not Stated	Total
37	3	2	42

#### Q5 Victim Occupation

Occupation	
Student	Total
41	41

#### Q6 Disposal/Outcome

Disposal/Outcome	Count of Crime
Undetected	1
Undetected 10. Not in the Public Interest (Police)	3
Undetected 11. Suspect is below age of Criminal Responsibility	12
A1. Charge	2
Undetected 15. Victim supports but evidential difficulties prevent	10
Undetected 16. Suspect ID. Victim does not support (or has withdrawn)	9
Undetected 18. No suspect. Crime Investigated. Case closed pending	1
Type 14 – Evidential Difficulties Victim Based – Named Suspect Not Identified	1
Type 8 – Community Resolution (Crime)	2
Not Recorded	1
<b>Total</b>	<b>42</b>

The names of the suspects have not been provided due to exemptions within the Act.

Section 17 of the Freedom of Information Act 2000 required 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(s);

- **Section 40(2) – Personal Data**
- **Section 44(1) – Prohibitions on Disclosure**

Section 40 and 44 are an absolute class based exemption and there is no requirement for the Constabulary to undertake a public interest test.

Information that will, or could lead to, the identification of an individual would not be released under the FOIA unless there is a strong public interest. This is because any release would breach Data Protection Principles contained within the Data Protection Act 1998.

By law, all victims of rape and other sex crimes, including children, are automatically guaranteed anonymity for life from the moment they make a complaint that they are the victim of a sex crime. This anonymity was once given only to victims of rape however; the Sexual Offences Act 1992 extends to victims of most other sexual offences. Therefore, it is the duty of the Constabulary to ensure this anonymity is not breached by a perceived risk of identification.

One of the main differences between the Data Protection Act and the Freedom of Information Act is that any information released under FOI is released into the public domain, not just to the individual requesting the information. As such, any release that identifies an individual through releasing their personal data, even third party personal data, is exempted unless there is a strong public interest in its release. The public interest is not what interests the public but what benefits the community as a whole.

Personal data is defined under the Data Protection Act 1998 as data that is biographical in nature, has the applicant as its focus and/or affects the data subject's privacy in his or her personal, professional or business life.

The latest advice from the Information Commissioner, when applying the exemption at section 40(2), is to firstly consider fairness. Fairness relates to consideration of expectation and consequences in relation to the use of a person's personal data. It is reasonable to assume that members of the public, would expect their personal data to be kept confidential and in accordance with the Data Protection Act, and that information would not be made publicly available by releasing the details via the Freedom of Information Act process.

The provision of a name, together with the other details provided in this response, would allow for an individual to be identified. This relates to both the suspects/offenders and the victims. The release of personal data into the public domain under the Freedom of Information Act, in a way that an individual would not expect, would not be fair, and would be a breach of principle 1 of the Data Protection Act. For these reasons, at this time, it has been decided that this information will not be released.

Conviction and sentencing data is periodically published by the Constabularies press office. However, such a disclosure would have been in accordance with Section 115 of the Crime and Disorder Act 1998, which allows for a discretionary power to disclose certain information. However, the provision of such information under the Freedom of Information Act is uncontrolled and will remain in the public domain indefinitely. The Constabulary need to be certain that disclosure has a clear policing purpose which in doing so ensures that the Data Protection Act is not prejudiced by any such disclosure.