

20 November 2024

FOI Ref 17466

Request - You asked us the following:

Under the Freedom of Information Act 2000, and on behalf of The Times newspaper, I would like to request the following information regarding non-consensual intimate images (NCIIs).

- In the past two years, has your police force returned a device to somebody convicted of revenge porn (as per section 33(1) of the Criminal Justice and Courts Act 2015), which still had the relevant non-consensual intimate images on the device?
- If so, how many times has your police force done this?
- If so, what are the specific case details that your police force can share about these cases?
- In the past two years under the jurisdiction of your police force, have there been any cases of people who have been convicted of revenge porn charges then re-offending with the same NCIIs or against the same victims?

We are happy to receive any information relevant to our request in any format.

We received your request on 14/11/2024 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.
Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the prescribed limit'.

The above information has been withheld for the following reasons:

There is no method by which we can easily retrieve information from our systems to answer this request. For the time period requested, there have been in excess of 251 occurrences. In order to ascertain whether the offender 'still had the relevant non-consensual intimate images on the device' or 'specific details' of each case would require manual review. To extract this data would therefore require a very labour-intensive manual trawl through each record.

From dip sampling, it has been estimated that it would take approximately 5 minutes to review each record to answer this request, this would equate to over 20 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the FOI Act by some considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

In order to assist in refining your request, data can be provided where the offences are recorded as 'Disclose private sexual photographs with intent to cause distress' and broken down by the outcome and year.

Furthermore, Staffordshire Police do not hold conviction data. We would advise that you approach the Government HM Courts & Tribunals service website.

Please find below links to previously disclosed HMCTS data and details upon how to submit a further Freedom of Information request to the Government HM Courts and Tribunals Service for this information. Make an FOI request - [how to make a request](#).

Check our previous releases to see if we've already answered your question - [our previous releases](#)

Make a new request by using the details below.

FOI requests

Disclosure Team

Postal Point 10.38, Floor 10

102 Petty France

London

SW1H 9AJ

United Kingdom

Email

data.access@justice.gov.uk

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit