

26 June 2025

FOI Ref 21437

Request - You asked us the following:

I am writing to request information under the Freedom of Information Act 2000 relating to the handling of stalking and harassment cases by your police force. This request focuses on potential misidentification of victims, the use and misuse of Community Resolutions, and the treatment of individuals with protected characteristics under the Equality Act 2010.

◆ Part 1 – Misidentification and Arrest of Victims

1. Between 2018 and 2024, how many individuals were:
 - o Arrested on suspicion of stalking or harassment.
 - o Later identified as the victim rather than the perpetrator.
2. Of those cases, please provide any available breakdown by:
 - o Gender (with particular focus on women where misogyny may have played a role).
 - o Sexual orientation (including cases involving homophobic abuse).
 - o Disability or mental health conditions (e.g., bipolar disorder, schizophrenia, PTSD, autism spectrum, anxiety disorders).
 - o Race/ethnicity.
 - o Any recorded intersectional vulnerabilities, where multiple protected characteristics may be relevant.
3. Of those misidentified and arrested:
 - o How many were detained in custody.
 - o How many were released without charge.
 - o How many resulted in no further action.
4. Are there any internal reviews, case audits, guidance, or training materials regarding:
 - o Misidentification of victims in stalking/harassment or domestic abuse incidents.
 - o Mistaken arrests involving individuals with protected characteristics.
 - o Handling of cases involving vulnerable or marginalised individuals.

◆ Part 2 – Use and Misuse of Community Resolutions (CRs)

5. Between 2018 and 2024, how many Community Resolutions were issued for:
 - o (a) Stalking.
 - o (b) Harassment.
6. Of these, please specify how many involved individuals with the following protected characteristics:
 - o Mental health conditions.
 - o Disability.
 - o Gender (female-identifying individuals).
 - o Sexual orientation (including LGBTQ+).
 - o Race/ethnicity.
7. In how many cases:
 - o Was the alleged victim not informed of the CR before it was applied?
 - o Was the CR applied without the victim's consent or knowledge?

- o Were individuals led to believe the CR constituted mutual agreement or offered protective benefit, when that was inaccurate?
- 8. Are there any internal reviews, complaint investigations, IOPC referrals, or safeguarding concerns documented about:
 - o Inappropriate or non-consensual use of Community Resolutions.
 - o Use of CRs in stalking or harassment cases involving vulnerable groups.
 - o Misleading representations of CRs to victims or those misidentified as perpetrators.

We received your request on 04/06/2025 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:

This is because on 20th May 2020 Staffordshire Police implemented a new case management system. This system brought data from a number of legacy systems into one to provide a single nominal record, including the custody system. The old custody system has now been decommissioned and as a result there is no search facility to be able to retrieve the requested data. It would entail searching thousands of records to establish if it fitted the criteria of the request. To achieve this task would exceed the 18-hour time and cost threshold stipulated by the FOI Act.

Additionally, there have been in excess of 3,000 arrests for these type of offences. In order to ascertain whether a detainee was misidentified or to establish their ethnicity, sexual orientation, disability or any recorded intersectional vulnerabilities, the record for each arrest would require a manual review. There have also been in excess of 1,600 outcomes of 'Community Resolution'. With regards to the points requested for question 7 these would also require a manual review of each record to establish this information.

From dip sampling, it has been estimated that it would take approximately 4 minutes to review each record to answer this request, this would equate to over 306 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 refine your request data can be provided for arrests from 20th May 2020 onwards for the total number of arrests for stalking and harassment along with gender and most significant disposal title i.e. released under investigation, no further action etc. Data can also be provided for the number of community resolution outcomes for stalking and harassment from 2018 along with any of those that have been flagged as a hate crime therefore would involve the following categories Race, Religion, Disability, Sexual Orientation and Transgender. Data can be provided for any community resolution complaints. There is no information held for question 4.

Please be advised that all Freedom of Information request responses are published on the Staffordshire Police website although personal details are not included.

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.



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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