



STAFFORDSHIRE
POLICE

26 January 2026

FOI Ref 22435

Request - You asked Staffordshire Police (SP) the following:

Original request:

This request is further to the Crown Prosecution Service (CPS) press release published on 13 December 2024 about an update to prosecution guidance which clarifies the law on when deceiving someone or failing to disclose birth sex could affect consent in rape cases - link below.

<https://www.cps.gov.uk/cps/news/prosecutors-publish-updated-deception-sex-guidance>

For the period of December 2024 to December 2025 and in relation to rape where consent was affected by a failure to disclose birth sex or transgender identity, please can you provide the following information:

Number of crime reports
Number of incident reports (if held)
Number of people charged to court
Number of people convicted (if held)

Refined request:

Thank you for your reply confirming that providing the data from December 2024 to December 2025 would exceed cost limits.

Please could you instead provide the same data only for February 2025 ie for one month only.

Please could you also confirm for me if it's planned to apply the guidance on 'deception as to sex' where the victim of rape has failed to disclose birth sex or transgender identity? I ask this only because other force areas have suggested that may be the case.

SP received your request on 23/01/2026 and have processed this under the Freedom of Information Act (FOIA).

SP's response to your enquiry is as follows:

SP holds/does not hold the requested information.

For the period of February 2025 and in relation to rape where consent was affected by a failure to disclose birth sex or transgender identity, please can you provide the following information:

- Number of crime reports – **Disclosed, nil.**
- Number of incident reports (if held) – **Disclosed, nil.**
- Number of people charged to court – **Not applicable.**

- Number of people convicted (if held) – **No information held.**
- Please could you also confirm for me if it's planned to apply the guidance on 'deception as to sex' where the victim of rape has failed to disclose birth sex or transgender identity? I ask this only because other force areas have suggested that may be the case. – **Disclosed, this guidance is already being applied by the force.**

Please note that this data has been provided to the best of the ability of SP, subject to the limitation of current recording protocols and systems/software. Additional offences/incidents may have been recorded during these timescales but are awaiting finalisation and input onto these systems and would not be present within this dataset.

Every effort is made to ensure that the data presented is accurate and complete. However, it is important to note that this has been extracted from multiple sources, developed for specific policing purposes, for which data extraction methods have not been specifically designed to directly correlate with the terminology of this request. Therefore, the data presented is subject to the inaccuracies and idiosyncrasies inherent in any large-scale recording system.

Consequently, care should be taken in the interpretation and presentation of this data, to not misrepresent the whole or any part of the data disclosed.

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.

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

Please be advised that all Freedom of Information request responses are published on the SP 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 SP, 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:

IAT@staffordshire.police.uk

Or by Post to:

Information Access Team
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 Information Access Team within two months of the SP 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 a supervisor who is independent from the original Decision Maker. The Information Access Team 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 twenty working days. In more complex cases the review may take up to forty working days.

The independent supervisor 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, considering the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the independent supervisor will reply to the appellant with the result of the review. If the appellant 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 link:
<https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>



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Freedom of Information
Information Access Team

A safe and confident Staffordshire