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| Ministry of Justice | November 2017 |

**Freedom of Information Act (FOIA) Request – 171012002**

You asked for the following information from the Ministry of Justice (MoJ):

**Under the freedom of information act 2000, could you please provide information on the following request:**

**How many convictions have been secured for illegal sexual acts with sheep, and bestiality acts in general, since 2007. If you provide information by country, could you please specify how many in England and Wales respectively.**

Your request has been handled under the FOIA.

I can confirm that the MoJ holds all of the information that you have requested.

Between 2007 and 2016 (latest currently available) a total of 27 people have been convicted of the offence of having sexual intercourse with an animal contrary to sections 69(1) & (3) and 69(2) & (3) of the Sexual Offences Act 2003. Of these convictions, 25 took place in courts in England and the remaining two occurred in courts in Wales.

Please note that these figures relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

The information on the specific type of animal involved in these cases is exempt from disclosure under section 32 of the FOIA because it is held in a court record.

Under section 32(1)(c) information is exempt if it is a document created by (i)a court / (ii)a member of the administrative staff of a court for the purposes of proceedings in a particular cause or matter.

The reason for section 32 is not to do with the issue of whether information is a public record or not, it is to preserve the courts control over court records. Even if a document may have been made public at the hearing it ceases to be a public record after the hearing and then becomes protected by virtue of section 32. It was not the intention that the FOIA should provide indirect access to court records; the greater public interest was considered to lie in the preservation of the courts' own procedures for considering disclosure.

Section 32 is an absolute exemption and there is no duty to consider the public interest in disclosure.

You may wish to contact the court directly to apply for access to court documents under the Criminal Procedure Rules. These are separate and specific regimes for access to information held by courts, designed to give those bodies themselves a measure of control over that information. Rules of court already provide a comprehensive code governing the disclosure of court records and documents served in the course of proceedings. Please note that you will be required to pay a fee as advised by the court.