

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext. 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

Date: 27th April 2021

Our ref: FOI 2021/ 247

I write in connection with your request for information dated 18th March concerning convicted officers.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered, and having consulted our professional standards team, I am happy to supply the information you have requested.

You wrote:

Convicted Officers - Please provide, from March 2016 to present:

- 1) Every case that a Police Officer in your Force was convicted of a criminal offence, including the date of the conviction and what the Officer was convicted of.
- 2) For each case, whether you have exercised your powers of pension forfeiture under Regulation K5 of the Police Pension Regulations Act 1987. If so, please state how much of the pension was forfeited.

Response

The information you are requesting has the risk in being able to identify members of Wiltshire Police, namely through the date of conviction, and thus breaching Data Protection Principles.

Therefore this information is being withheld as outlined below:

Section 17 of the Freedom of Information Act 2009 requires Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:



INVESTOR IN PEOPLE

a) states the fact b) specifies the exemptions(s) in question c) states (if not otherwise apparent) why the exemption applies

The exemption is as follows;

Section 40(2)(a)(b) by virtue of 40(3)(A)(a) Personal Information – Information constitutes personal data and disclosure would contravene any of the Data Protection principles.

Section 40 (2) of the FOIA is an absolute exemption which means there is no requirement on the Public Authority to consider whether there is a public interest in disclosure. It is an interface exemption and we must consider whether release of the information would breach the General Data Protection Regulations ('GDPR') or the Data Protection Act 2018 ('DPA') Third party personal information in relation to witness statements, police personnel, forensics staff etc. and this information constitutes their 'personal data' under the GDPR (Article 4) and DPA (Part 1 s.3).

However, under our s16 duty to aid where we can, we can provide you with the rest of the details cited in your request. Please find this information below;-

1.

1 x convicted of 2 x Common assault (gross misconduct) [
<https://www.gazetteandherald.co.uk/news/16397976.wiltshire-pc-dismissed-gross-misconduct/>]

1 x convicted of Fraud by false representation [<https://www.bbc.co.uk/news/uk-england-wiltshire-36561006>]

1 x convicted for Improper disclosure of information [
<https://www.gazetteandherald.co.uk/news/15810048.special-pc-used-police-computer-reveal-secrets-workmates/>]

1 x convicted for Perverting the course of justice [
<https://www.swindonadvertiser.co.uk/news/17806674.former-special-constable-lied-police-letters-sons-traffic-offence/>]

1 x convicted for Possession of indecent images of children [
<https://www.salisburyjournal.co.uk/news/18173127.wiltshire-police-special-constable-pornographic-pictures-babies-gets-suspended-sentence/>]

1 x convicted for Possession of indecent images of children (date of conviction withheld).

2. No Information held.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Force Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire 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 to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

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 Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force 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 twenty 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
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>