



Force Disclosure Unit
Wiltshire Police HQ
London Road
Devizes
Wiltshire
SN10 2DN
Tel 101 ext 62005
www.wiltshire.police.uk
disclosure@wiltshire.pnn.police.uk

XXXXXX – by email

Date: 7th May 2021

Your ref: FOI

Our ref: FOI 2021 / 346

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 13th April 2021 concerning driving offences whilst holding a provisional licence.

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 I am not obliged to supply the information you have requested.

You wrote:

How many motorists were caught committing any driving offence while holding a provisional driving licence in both 2019 and 2020?

If possible, could you also provide information on the number of provisional licence holders committing the following offences:

- a) CD30 Driving without due care and attention or without reasonable consideration for other road users
- b) SP30 Exceeding statutory speed limit on a public road
- c) DR10 Driving or attempting to drive with alcohol level above limit
- d) TS10 Failing to comply with traffic light signals
- e) DR90 In charge of a vehicle when unfit through drugs

Please note: If the specific offence information is not available, just the number of motorists caught committing any driving offence while holding a provisional driving licence in both 2019 and 2020 would be great.

Time period for data relating to the request: 2019 and 2020.



INVESTOR IN PEOPLE

Our response:

The information that you are requesting is not stored in a way which permits easy retrieval.

Whilst our crime recording system(s) are fairly sophisticated, we do not hold in a separate searchable field any reference that indicates whether Traffic Offences of this nature have been committed by a person holding a provisional licence as opposed to a full licence.

The only way to ascertain the information you require would be to physically access and read each of the offences that fall into the 5 offence categories you mention for both 2019 and 2020 and undertake a physical check as to whether the licence held at the time of the offence was provisional or not.

Given that in any given calendar year Wiltshire Police record something in the region of 5,000 offences covering these 5 different offence codes - and allowing an estimated 10 minutes per record - I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

It also needs noting here that if there is no reference to the type of licence held by the driver at the time of the offence, we would not be able to undertake additional searches of our PNC database to fill in any gaps as any search undertaken on Police systems need to have a defined policing purposes – providing information to fulfil the requirements of an FOI request could not be classified as a defined policing purpose.

Ordinarily under our section 16 duty to provide advice and assistance, we would normally advise you how to refine your request to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

- (1) Section 1(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 appropriate limit.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

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,

Nick Penny
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 Fol 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