

**Force Disclosure Unit**

Wiltshire Police HQ
London Road

Devizes

Wiltshire SN10 2DN

Telephone: 101

Extension: 62005

Website: www.wiltshire.police.uk

E-mail:

disclosure@wiltshire.pnn.police.uk



XXXXXXXX

By email

Date: 21 June 2021

Your ref: FOI request

Our ref: FOI 2021/482

Reply contact name is Abigail Standidge

Dear XXXXX,

I write in connection with your request for information dated the 29th May 2021, concerning Stalking Protection Orders (SPOs).

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.

Following receipt of your request, research was conducted by the Staff Officer to the Deputy Chief Constable (National Policing Lead for Stalking and Harassment) and the Force level lead for stalking at Wiltshire Police. Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

Please can you breakdown this information for the following time period: 20 January 2020 to 31 April 2021.

1) On how many (unique) occasions did your force apply for a Stalking Protection Order or interim Stalking Protection Order over this period? Please can you breakdown this information in terms of the total number of Stalking Protection orders applied for; the total number of interim Stalking Protection orders applied for; how many of these orders were exclusive to cases of so called 'stranger stalking' and how many were related to a domestic abuse, or 'other' context. Can you also breakdown the information by the age and gender of the person the order was intended to protect (i.e. the stalking 'victim') and the age/gender of the 'stalker'.

Over this time period, how many Stalking Protection Orders were breached? How many interim Stalking Protection Orders were breached?

What was the average length of time (in days) it took for your force- upon notification of a breach occurring- to arrest a person who, without reasonable excuse, breached a Stalking Protection Order on an interim Stalking Protection Order?

What was the longest length of time (in days) it took for your force- upon notification of a breach occurring- to arrest a person who, without reasonable excuse, breached a Stalking Protection Order on an interim Stalking Protection Order?



INVESTOR IN PEOPLE

Our response:

The information you are requesting is not stored in a way which permits for easy retrieval. Much of the information requested does not belong to Wiltshire Police. Information relating to SPOs that have been granted belongs to HM Courts service and, although it is noted by the Force, data relating to the number of applications submitted is collated by the OPCC's office. If any data was supplied, it would be the Force's interpretation of the records held by us and therefore may not be accurate or reliable. To provide the details for some of the information which has been requested, a manual search of each individual record for the SPO application would need to be conducted; which would also involve searching multiple systems to collate this data.

Although the Force submit applications for SPOs, there is not a system in place which monitors individual applications; though the OPCC does keep a list of the number of applications. The Force level lead has some knowledge of the applications, as he is copied into the emails. However, he would need to search through all of his emails to find each application and there are over 12000 emails in his inbox. While the inbox search function could be used, to be confident all applications were returned through this search, the Force level lead would need to manually check through all the emails in the inbox to ensure nothing has been missed. Additionally, the comparison between the application and the arrest is not linked. To obtain this information, Wiltshire Police would need to manually check our data along with the Court and OPCC data to gain all of the information to make this comparison.

Under the circumstances 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. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Please also note that if one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Ordinarily under our Section 16 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved. Having said this, I would suggest you contact HM Courts Service to see if they are able to assist you further.

Although excess cost removes the Forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I can provide you with is documented below:

The figures at the end of March 2021 show Wiltshire had issued 9 SPOs; 4 of these were interim with the remaining 5 combined interim and full orders. As these figures are to the end of March, it is not known how many Wiltshire have applied for since then. Please note, the Force claims the money back for SPOs and these figures have been provided based on the number of SPOs which have been claimed back.

Section 17 of the Freedom of Information Act 2000 requires 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.

Please contact me if you would like to discuss the withheld information.

Yours sincerely

Abigail Standidge
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 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

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 to contact them, please visit <https://ico.org.uk/global/contact-us/>