



Force Disclosure Unit
Wiltshire Police HQ
London Road
Devizes
Wiltshire
SN10 2DN
Telephone: 101
Extension: 62005
disclosure@wiltshire.pnn.police.uk

XXXXXX - by E mail

Date: 14 June 2021

Your ref: FOI

Our ref: FOI 2021 / 508

Reply contact name is Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 11th June 2021 concerning sketches made by Christopher Halliwell.

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:

Could you please place the 12 pencil sketches drawn by convicted killer Christopher Halliwell seized in 2011 into the public domain in order that the locations of these can be identified as probable deposition sites of missing female victims and progress other unsolved murders.

Our response:

Whilst Wiltshire Police can confirm that whilst the information that you have requested relating to Christopher Halliwell is held, it is exempt by virtue of the following exemptions:

Section 30(1)(a) - Investigations and proceedings conducted by public authorities
Section 31(1)(a) - Law enforcement
Section 38 - Health and Safety



INVESTOR IN PEOPLE

Sections 30, 31 and 38 are qualified exemptions which require an examination of the public interest considerations for and against disclosure. In addition to this, an examination of the likely harm which would follow disclosure is also required for sections 31 and 38.

Please see below for the full application of sections 30 and 31 and 38.

Overall Harm in Disclosure

Disclosure of any of the pencil sketches made by Christopher Halliwell into the public domain would further perpetuate the distress of the family, friends and those who knew Becky Godden and Sian O'Callaghan. The circumstances of these two murders have been in the press for a considerable amount of time and disclosure of such additional information would cause further harm and disruption to those affected by the events. This is even more pertinent at the moment with the recent serialisation of the Halliwell case on terrestrial television and the previous adverse publicity directed at Wiltshire Police in respect of their handling of this case. Furthermore, it has been widely reported that it is believed that there may be other victims of Christopher Halliwell and – as such – this remains an open and live investigation.

If Wiltshire police were to disclose any information that is not in the public domain it could be highly prejudicial to any ongoing or future investigations that are connected to these investigations or those similar in nature. This could result in serious offenders escaping justice and a decrease in the police force's ability to protect the public and to prevent and investigate crime.

Public Interest in Favour of Disclosure – Section 30

Disclosure of the information you request would enhance public knowledge about the case and how it is being progressed – the public has a right to know where the resources of Wiltshire Police are focused. Additionally, disclosure would offer greater transparency on the subject matter and enable the public to scrutinize the investigation and ensure that it has been properly carried out in accordance with the law.

Public Interest in Favour of Non Disclosure – Section 30

To disclose into the public domain any of the sketches made by Christopher Halliwell would compromise the effectiveness of any future criminal investigations and operations that are connected to this offender. This would also be the case regarding any ongoing or future investigations and operations of a similar nature. For example, if further victims are discovered, the information that you have requested will be absolutely crucial to those investigations. If this information were in the public domain, these investigations would be seriously undermined, for example, disclosure would further identify the specifics of any offences and the investigative capability and strategies of the police.

This in turn would compromise Wiltshire police's ability to carry out its core duties and it would also affect the ability of our partner agencies to engage with Wiltshire Police in confidence. In addition to this, disclosure would likely affect the confidence of members of the public to report matters to the police and to willingly engage in investigations if it were believed that such information would be readily disclosed into the public domain.

If the SIO (Senior Investigating Officer) in the Halliwell case felt it would be beneficial to the ongoing investigation(s) into this individual for these sketches to be released into the public domain then this would happen.

Public Interest in Favour of Disclosure – Section 31

These are high profile cases that continue to be present in the media (especially given the recent serialisation on terrestrial television) and disclosure of the information would provide a better awareness to local communities of these matters within their locality.

Furthermore, disclosure of the information requested may lead to a more informed public debate and could have the added effect of the community providing increased intelligence to the police, and improving the effectiveness of any ongoing or future investigations that are connected to those mentioned, or of a similar nature.

Public Interest in Favour of Non Disclosure – Section 31

The information you request is likely to be used in future investigations and disclosure would undeniably compromise an effective investigation into any other victims by revealing the present state of an investigation and enquiries already conducted. This could in turn assist individuals in avoiding apprehension as it would reveal the information already held and put other persons at risk.

Public Interest in Favour of Disclosure – Section 38

Disclosure would lead to a better awareness for the community in relation to these criminal investigations, and may enable members of the public to take further precautions against violent offenders. It may also have the positive impact of an increase in members of the public reporting information to the police, thus enabling the force to more efficiently protect the wellbeing of the public.

Public Interest in Favour of Non Disclosure – Section 38

If disclosed, this information would cause substantial distress to the family and friends of the victims. This is particularly the case due to the sensitivity of the information requested, disclosure would clearly cause unbearable harm to the family and friends of the victims, on top of what they have already been through.

It is also important to emphasise that these matters have been consistently reported on in the media over a long period of time. Unnecessarily introducing even more information into the public domain would undoubtedly be widely reported and cause further considerable harm to the wellbeing of those who knew the victims. Ongoing speculation concerning potential other victims of Christopher Halliwell does little to help the expectations, feelings and distress already caused to the family and friends of the known victims as this would be dragged once again into the media spotlight. It could also cause distress to the families of other missing persons who are believed to possibly be other victims of Christopher Halliwell.

Balancing test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Whilst there is a public interest in the transparency of policing operations and investigations and providing assurance that the police service is appropriately and effectively protecting the public from criminals, there is a very strong public interest in safeguarding both the remaining family and friends of the victims and ongoing investigations into any possible additional offences and this will only be overridden in exceptional circumstances. In this instance, the public interest firmly lies in favour of non-disclosure of the information requested.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide 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. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 30 – Investigations and proceedings conducted by public authorities

Section 31 – Law enforcement

Section 38 – Health and safety

Yours sincerely,

Nick Penny

Force Disclosure Decision Maker

The 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