

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

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

XXXXXX – by email

Date: 21st December 2021

Your ref: FOI

Our ref: FOI 2021 / 1041

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 20th December 2021 concerning missing evidence.

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:

We would like to request the following data under the Freedom of Information Act 2000.

1. For each of the years 2017, 2018, 2019, 2020, 2021, how many pieces of evidence went missing from your force?
2. Of those pieces missing, where possible, please can you give us a breakdown of how they pertain to each home office crime code designation.

For example (20 MISSING PIECES - 5 – Violence against a person, 10 – Sexual Offences, 5 - Theft)

Our response:

No Information held.

Under our Section 16 obligation to be as helpful as possible to an applicant, please note the following by way of an explanation :-



INVESTOR IN PEOPLE

- Wiltshire Police do not currently keep a log of all missing items of evidence / property.
- There is no obligation on an Authority to create information in order to answer an FOI request if that information does not already exist.
- Our Property Team do retain copies of any E mails that are relating to missing property / evidence that they receive from officers or staff around the Force, but these alone would not provide enough detail to either break this down by Crime Type or provide a complete list of possible missing items that meet your criteria.
- Although there is no obligation on an Authority to create information to answer an FOI request, were we to do so in this case and response would likely be exempt under Section 12 of The Act as the cost of complying with the request would far exceed the appropriate time cost involved.

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:

No Information Held

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 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