



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

Date: 7th December 2021

Your ref: FOI

Our ref: FOI 2021 / 821

I write in connection with your request for information dated 28th October concerning road side forensics.

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:

Please can you provide the following information for the year 2019 (calendar year or financial year or whichever period of 12 months is used by your police force):

1. The number of blood samples taken following positive roadside tests by your police force
2. The number of blood samples submitted to forensic providers in (1)
3. The number of cases that resulted in prosecutions being dropped for lack of toxicology testing because the time limit has been missed
4. Confirm whether a "cap" on forensic toxicology submissions exists within the police force and if so, confirm the precise nature of the cap in terms of number of cases and submissions.
5. Identify when the cap came into operation and how it was approved and whether a cap is currently in place
6. Supply any policy documentation used by those submitting forensic toxicology cases to forensic science providers - for example an SOP used by the force to determine how a submission is approved
7. Identify the Forensic Science Providers used by the force for Forensic Toxicology and provide a breakdown of the number of submissions to them in 2019 by type of submission - as defined in the procurement specification used by your force (eg. Toxicology Alcohol).
8. Please supply the toxicology specification documents used by your force when procuring forensic toxicology services which contain the product codes (eg 04TOX)
9. The current backlog in submissions in your force broken down by their prosecution time limit date ie. the number of cases where a submission in forensic toxicology is delayed (in a queue) and the date when the prosecution will fail owing to lack of laboratory analysis.



Our response:

The information that you are requesting is not stored in a way which permits easy retrieval. Wiltshire Police currently do not have the capability within our systems to immediately identify if a blood sample was taken and given to our forensic unit at South West Forensics. Many blood samples are taken, but not all are forwarded, due to the circumstances in the case. This means in order to obtain the information regarding blood samples, we would have to manually sift through all road side investigations in 2019.

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.

Under our s16 duty to help where we can, we have provided information we were able to obtain before the time limit was hit. Please see below;-

4. In 2019 a cap was introduced for all Forensic Disciplines due to Operation Sourberry – Cyber-attack on Eurofins. This cap remains and is reviewed and amended accordingly around every 6-8 weeks. The cap has been adjusted several times since its implementation. Currently; Wiltshire cap is 7.

5. Cap implemented June 2019. Approved by Op Sourberry Gold Group.

‘Following the cyber-attack on Eurofins Forensics Services in June 2019, which was widely publicised in the media, in order to ensure all forces had adequate supply to all forensics services it was necessary to implement a national prioritisation mechanism and as a result, caps were introduced. The decision making was through the NPCC Operation Sourberry Gold Group, with membership drawn from all police forces at a Chief Officer level, the Forensic Science Regulator, Home Office and Crown Prosecution Service. Operational management occurred through the Operation Sourberry national Silver Group. Following the close out of Operation Sourberry it has been necessary to retain caps on Road Traffic Toxicology (Drugs) and this is managed via the NPCC Operation Talla (Forensics) Gold Group, set up to manage the national response to the impact of the Covid pandemic.’

7.

Description

311a-30TOX-1A1-Alcohol-CFS
311a-30TOX-1A1-Alcohol-EFS
311a-30TOX-1A1-Alcohol-KFS
311a-30TOX-1B3-Alc/Back/Cal-CFS
311a-31TOX-1B2-Confirm/Quant Panel of
Common Drugs Abuse (inc 4-5a)-CFS
311a-31TOX-1B2-Confirm/Quant Common
Drugs of Abuse (inc 4-5a)-EFS
311a-31TOX-1B2-Conf/Quant Panel of Common
Drugs of Abuse (inc 4-5a)-KFS
311a-31TOX-1C1-Screen/Conf/Quant/interpret
Common Drugs (inc S4)-CFS
311a-31TOX-1C1-Scr/Conf/Quant/interp Comm
Drugs of Abuse (inc S4)-KFS
311a-31TOX-1C2-Screen/Conf/Quant/interpret
Common Drugs (inc S4-5a)-CFS
311a-31TOX-1C2-Screen/Conf/Quant/interp
Common Drugs Abuse (inc S4)-EFS
311a-FS-1-Full Statement 1 Exhibit-CFS

311a-FS-30UR-Full Statement Urgent-CFS
 311a-FS-Full Statement-Bespoke-CFS
 311b-30TOX-1A1-Alcohol-CFS
 311b-30TOX-1B3-Alc/Back/Cal-CFS
 311b-31TOX-1C1-Screen/Confirm/Quant/interpret Common Drugs
 (inc S4)-CFS
 311b-32TOX-1C2-Interpret effect Drugs
 extended Panel 3-CFS
 311b-32TOX-1C4-Interpret effect Drugs
 extended Panel 5-CFS
 311b-32TOX-B-Interpret effect Identified Drugs
 Bespoke-CFS
 311b-32TOX-B-Interpret effect Identified Drugs
 Bespoke-CFS.
 311b-33TOX-0C5-Untargeted Section of Hair
 Interpret effect Drugs-CFS
 311b-33TOX-0C6-Targeted Section of Hair
 Interpret effect Drugs-CFS
 311b-33TOX-HR-OBS-Interpret effect Identified
 Drugs Bespoke-CFS
 311b-FS-30UR-Full Statement Urgent-LGC
 312-30TOX-1A1-Alcohol-CFS
 312-30TOX-1B3-Alc/Back/Cal-CFS
 312-31TOX-1C1-Screen/Conf/Quant/interpret
 Common Drugs Abuse (incS4)-CFS
 312-32TOX-1C2-Interpret effect Drugs extended
 Panel 3-CFS
 312-32TOX-HR-Interpret effect Identified Drugs
 Bespoke-CFS

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.

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

Yours sincerely,

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