

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext. 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.ukDate: 7th February 2022

Our ref: FOI 2022/ 025

Reply contact name is: Jack Tenniswood

I write in connection with your request for information dated 10th January concerning changes Wiltshire Police have made to their policies, procedures or practices since the judgement in the case Commissioner of Police of the Metropolis v DSD and Another [2018] UKSC 11. and incidents.

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 having consulted our Litigation, Learning and Development, and our policy lead, I am happy to supply the information you have requested.

You wrote:

I am writing to enquire what, if any, changes **Wiltshire Police** have made to their policies, procedures or practices since the judgement in the case Commissioner of Police of the Metropolis v DSD and Another [2018] UKSC 11. The case, broadly speaking, has set the precedent that police services have a duty to effectively investigate serious offences (i.e., sexual offences and serious violence) committed by a perpetrator under Article 3 of the European Convention on Human Rights. Where they fail to do so, and these police failings amount to substantial and significant errors, the victim of crime can now sue the police for compensation.

If there have been changes made to policies, procedures or practices, please indicate what these are and attach any relevant and available documentation regarding these changes.

If there have not been any changes, please indicate why this is the case.

Further, I ask if **Wiltshire Police** have had any claims launched through this route since the judgment from other victims. Please provide any details possible if so.

Finally, has **Wiltshire Police** developed or adapted any training to include discussion of the judgement in the case Commissioner of Police of the Metropolis v DSD and Another [2018] UKSC 11 or the implications of said judgement? If so, how so? If not, why not?



Response

1. There has been no formal changes to policy or procedures relating to the conclusion of the above case.
2. Not a valid FOI request.
3. No.
4. No.

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,

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 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

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