

**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: 18th January 2022

Your ref: FOI

Our ref: FOI 2022 / 056

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 17th January 2022 concerning E Scooter Accidents.

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:

I am writing to request information under the Freedom of Information Act 2000, as this topic is of significant public interest. In order to assist you with this request, I have outlined below my query as specifically as possible.

I would like to know:

The most recent statistics regarding the reported casualties in accidents involving e-scooters for 2021.

The data for 2020 has been previously published here:

<https://www.gov.uk/government/statistics/reported-road-casualties-great-britain-e-scooter-factsheet-2020/reported-road-casualties-great-britain-e-scooter-factsheet-2020>

Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.



Wiltshire Police confirms that whilst it holds the information requested, this information is exempt by virtue of Section 22 (information intended for future publication). Section 22 is a class based qualified exemption and there is no need to evidence the harm that could be caused by disclosure. Wiltshire Police are however required to carry out a public interest test.

Public Interest Test – Under Section 22

Factors Favouring Disclosure:

Disclosure of this information could empower the public to make more effective decisions about their own activities or contribute to more accurate public debate. Accurate public debate which corrects rumour, speculation and falsehoods could remove the need to take unnecessary actions.

Factors Favouring Non-Disclosure:

The exemption engaged in this case specifically requires that the public interest is considered in delaying the release of information that will automatically be disclosed in the future. Which is released annually every year.

Public funds are already used in the preparation and publication of these figures. To repeat or pre-empt these activities in response to Freedom of Information requests would not be an efficient use of resources and finance, specifically in the current climate.

Balancing Test

The Section 22 exemption was specifically created to reduce the burden on public authorities when responding to Freedom of Information requests and to now provide the data rather than await the publication date would incur additional expense and would not have a significant bearing on informed public debate.

At this time, the public interest is met by the intended publication of these figures and the cost to the “public purse” of providing an interim and therefore incomparable figure outweighs any other minor benefit in an advanced disclosure.

Decision

At this time, the public interest is met by the scheduled publication of this data and this outweighs any other minor benefit in an advanced disclosure. If the timescales for publication are not reasonable this would favour disclosure. In this case non-disclosure at this time is favoured as the timescales for publication are reasonable and in the foreseeable future.

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 22 – Information intended for future publication

In accordance with section 17 of the Act, this letter represents a partial 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