

**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: 11th November 2021

Your ref: FOI

Our ref: FOI 2021 / 943

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 10th November 2021 concerning Forensic Evidence in Burglaries.

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 wanting to gather information about how each police force in England and Wales use forensic evidence. Below are some questions that will allow this information to be collected.

1) What techniques are used to recover the following from a burglary scene:

- a) DNA
- b) Fingerprints
- c) Other Forensic Evidence (e.g. Footwear marks, hair/fibres)

2) Which Forensic Service Providers, if any, are used for burglaries?

3) In the last 12 months (November 2020-October 2021):

- a) How many reported burglaries have you had in your area?
- b) How many of these burglaries resulted in a conviction?
- c) How many convictions relied on:
 - 1) DNA
 - 2) Fingerprints
 - 3) Other Forensic Evidence (e.g. Footwear marks, hair/fibres)

4) Is the Force ISO accredited?



INVESTOR IN PEOPLE

Our response:

The information that you are requesting for the majority of your request (namely question 3c) is not stored in a way which permits easy retrieval.

Whilst our crime recording system(s) are sophisticated, we do not have specific fields (which are searchable) in which to record whether forensic evidence – and indeed what forensic evidence – may have played a part in the investigation or was indeed a contributory factor in any subsequent conviction.

The ascertaining of this information would only be possible by physically reading the whole crime file for every related burglary that Wiltshire Police have recorded over the 12 month period you have specified.

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.

It also needs to be noted that under DPA'18, there is no obligation on an Authority to create information in order to answer an FOI request, where no information exists today.

Data Protection legislation states that if any one part of an FOI request is exempt under Section 12 (Time-Cost) then the whole of that request is exempt.

However, although excess cost removes the forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I am able to provide you are the answers documented below :-

Question 3a

For the 12-month period you have requested, Wiltshire Police have recorded 1,598 Burglaries, details as follows :-

Crime SubGroup	Crimes
Burglary Business And Community	541
Burglary Residential	1057
Totals	1598

Question 3b

Wiltshire Police do not hold any information in respect of Conviction data – to ascertain this you will need to contact CPS directly.

However, for the 12-month period you have requested, Wiltshire Police have reached a charging position of some kind on the following number of offences :-

Crime SubGroup	Detection Status	Crimes
Burglary Business And Community	1: Charged	19
	1: Summoned/postal requisition	4
	1A: Alternate offence charged	4

	1A: Alternate offence summonsed/postal requisition	1
	Total	28
Burglary Residential	1: Charged	14
	1: Summonsed/postal requisition	4
	1A: Alternate offence charged	4
	1A: Alternate offence summonsed/postal requisition	1
	Total	23
Grand Total		51

There will be a number of Burglary cases recorded over the last 12 months which remain open and live investigations – as a consequence the figures above are likely to increase as these cases are gradually closed over the coming weeks/months.

Please Note

It needs to be noted that should we attempt to provide answers to questions 1,2 and 4 of your request they are likely to attract other exemptions which would preclude a full response.

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of question 3c to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

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.

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 Fol 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