

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

[www.wiltshire.police.uk](http://www.wiltshire.police.uk)[disclosure@wiltshire.pnn.police.uk](mailto:disclosure@wiltshire.pnn.police.uk)

XXXXXX – by email

Date: 27<sup>th</sup> April 2022

Your ref: FOI

Our ref: FOI 2022 / 286

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 30<sup>th</sup> March 2022 concerning Avon Vale Hunt.

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 all of the information you have requested.

**You wrote (and Our Response) :**

1. The name of the operation, when teams and resources were deployed to Church Farm Broughton Gifford Wiltshire, when the Avon Vale Hunt hunt had a meet on Saturday 19/02/2022?

I can confirm that when Police teams and resources were deployed to Church Farm, Broughton Gifford, Wiltshire on 19<sup>th</sup> February 2022 this operation did not have a specific name.

2. Copies of any emails & other communication that were sent regarding the operation from all involved in Gold Silver Bronze roles. Dated from 14<sup>th</sup> February 2022.

A response to this question is exempt under Section 31 – Law Enforcement (see details below →)

3. The name of the operation, and list of the teams and resources that were deployed to Neston Park Wiltshire, when the Avon Vale Hunt hunt had their meet on Saturday 12/03/2022?

I can confirm that when Police teams and resources were deployed to Neston Park, Wiltshire on 12<sup>th</sup> March 2022 this operation did not have a specific name.



INVESTOR IN PEOPLE

In respect of the Teams and/or Resources that were deployed to this incident, I can confirm that the following resources and Teams were in attendance :-

#### Resources

Police Officers, Specials and Police Staff

#### Teams

Command , Ground Serial , PSU's , Rural Crime Unit , PLO's , EGU , Prisoner Escort , Prisoner Handling Unit , Drone Operators

4. Copies of any emails & other communication that were sent regarding this operation from all involved in Gold Silver Bronze roles. Dated from 7th March 2022.

A response to this question is exempt under Section 31 – Law Enforcement (see details below →)

Questions 2 and 4 of your request are exempt by virtue of the following exemption of the Freedom of Information Act: -

#### **Section 31(1) and (2) - Law Enforcement**

Section 31 is a qualified exemption which requires an examination of the public interest considerations for and against disclosure. In addition to this, an examination of the likely harm which would follow disclosure is also required for section 31.

#### **Overall Harm**

Any disclosure under FOI is a release to the public at large. Whilst not questioning the motives of the applicant, disclosing the requested information in relation to questions 2 and 4 could cause substantial harm for everyday policing and all individuals involved, such as Police employees and the wider community. By disclosing this information, Wiltshire Police would prejudice our ability to prevent and detect crime, and to apprehend and prosecute offenders; as information would be provided to the offenders in which they can then use this to evade detection, with the disclosure of any information concerning policing considerations, including any plans & tactics, intelligence received & acted upon in respect of either of these events, ultimately affecting the Force's ability to protect the community at other events of a similar nature in the future.

Although there is public interest in the transparency of policing, which would provide assurance to the public that the police service is appropriately and effectively engaging the use of its' resources in the investigation of crime and preventing disorder, this is countered by the need to protect any future law enforcement conducted by Wiltshire Police and ensuring the safety of the public.

#### **Public Interest Test**

#### **Section 31 – Law Enforcement**

#### **Factors Favouring Disclosure**

Disclosure of this information in full would lead to a better-informed public and promote trust by demonstrating openness, transparency and accountability. In addition to this, the public are entitled to know how public funds are being spent, especially regarding the assessment of any risks, the use and consideration of any intelligence received and the planning and tactics used to police such events.

### **Factors Against Disclosure**

Disclosing this information would provide the world, not just the requester, with sensitive information around intelligence received and acted upon, together with police plans and tactics associated with events of this nature. This could place Wiltshire Police's law enforcement capabilities into jeopardy and run the risk of causing endangerment to the community that Wiltshire Police are empowered to protect. This would give criminals the ability to understand the operational tactics and plans of Wiltshire Police together with information about specific intelligence received which could also put the provider's of that intelligence at specific risk. Both would seriously hinder the prevention and detection of crime. By providing these individuals with the knowledge to determine which areas in Wiltshire may be most vulnerable with lower resources, they can use this information to plan criminal acts and avoid detection. If offenders avoid detection, this places the public at a greater risk and subsequently a diminishing trust in the Force and an increase of crime will be seen.

To disclose this information into the public domain would highlight that Wiltshire Police does not take the security and integrity of law enforcement seriously and suggest that they are not concerned with keeping the public safe, both of which would cause a significant drop in public confidence.

### **Balance Test**

Whilst there is a public interest in the transparency and openness between the Force and the public, along with demonstrating how the Force are engaging with the threat from criminals, there is a stronger interest in ensuring the public are protected from these individuals. The above points highlight both the merits and issues with disclosing the information you have requested.

Overall, the police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Because of this, Wiltshire Police will not divulge any information if to do so would prejudice our law enforcement capabilities and in turn lead to more victims of crime, more offenders not being brought to justice, or to put our community at risk of any harm. The public interest is very largely in favour of non-disclosure in respect of questions 2 and 4, to ensure the capability of law enforcement by Wiltshire Police and to keep the public safe. This would only be overridden in exceptional circumstances, which this Freedom of Information request is not.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide 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.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 31(1) and (2) - Law Enforcement

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](mailto: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](mailto:mail@ico.gsi.gov.uk)