

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.police.ukDate: 19th May 2022

Your Ref: FOI

Our Ref: FOI 2022/354

Reply contact name is: Kay Moore

Dear,

I write in connection with your request for information dated 8th April 2022 concerning a copy of the Potential Violent Persons (PVP) list/register.

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 it is not possible to meet your requirements in full.

You wrote:

Request a copy of Potential Violent Persons PVP list/register for Wiltshire.

Our response:

Under the Freedom of Information Act 2000 (FOIA), the information requested is exempt from disclosure by virtue of the following exemption:

Section 31(1) – Law Enforcement

Section 31 is a prejudice based qualified exemption and therefore, requires Wiltshire Police to establish the harm in disclosure, along with any public interest considerations for and against disclosure. Please see the harm and public interest tests carried out below.

Overall Harm

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure. Wiltshire Police are charged with enforcing the law, preventing and detecting crime and protecting the communities we serve, and releasing a copy of the requested register/list would disclose information/intelligence – or potential lack thereof, about potentially dangerous persons deemed a risk to the public which may have an undesirable impact on law enforcement operations.



INVESTOR IN PEOPLE

Individual's may use this knowledge to their own advantage in furthering criminal activity. Disclosure of information which is likely to undermine the ability of the Police to serve the public in preventing and detecting crime can only be considered as being harmful to the public.

Public Interest Test

Factors favouring Disclosure:

Disclosure of this information would promote openness, transparency, as well as provide reassurance to the public in relation to the quality and nature of policing capability within the force.

Factors favouring Non-Disclosure:

Disclosure of this information would have an undesirable impact on law enforcement operations as a result of possible offenders being in possession of this information, as law enforcement tactics would be compromised. The safety of the public is of paramount importance to Wiltshire Police and we would not look to disclose information which would place the public at risk of harm or further crime within the community. If those intending on breaking the law were provided with this information/intelligence or possible lack thereof, then it would enable those to make more informed decisions and more skilfully plan particular offences to ensure that their actions go undetected. This would undoubtedly hinder the prevention and detection of crime and place members of the public at risk.

Balance Test

Any release under FOI is a release to the world, not just to the requester, and arguments for disclosure need to be balanced against those against disclosure.

The most persuasive argument in favour of disclosure is of better public awareness and transparency which ultimately may lead to more information, or assistance, being provided to the force. However, on the other hand the most persuasive argument in favour of non-disclosure is that it will compromise law enforcement tactics, hinder the prevention and detection of crime and potentially place individuals at risk.

There is a very strong public interest in safeguarding the protection of the public and the effective use of police resources. Information released under FOI, where exemptions apply, will only be done where there is a tangible community benefit which is more powerful than the harm that can be caused in disclosure.

Therefore, Wiltshire Police deems that the harm that would be caused from disclosure of this information would be disproportionate to any public interest held in this case and as a result, the public interest lies in favour of non-disclosure of this information.

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) – Law Enforcement

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

Yours sincerely,

Kay Moore
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.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