

**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: 13th June 2022

Your ref: FOI

Our ref: FOI 2022 / 445

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 23rd May 2022 concerning Crimes by Serving Officers.

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 in full.

You wrote:

I wish to know the number of reports you have received of alleged crimes by serving officers in the past three years (1st May 2019 to 30th April 2022)?

For each report please list:

1. The alleged offence
2. Rank of the officer accused
3. Whether the offence was investigated
4. The outcome (accusation proven or not, any criminal proceedings, disciplinary actions taken, and whether they are still serving?)

Our response:

The information that you are requesting is not stored in a way which permits easy retrieval.

Although we have a field titled "Occupation" on our crime recording system(s), this is not a mandatory field and in reality it is seldom used (or the occupation of an individual involved in an occurrence is generally irrelevant and either not recorded or on occasion, even provided by the individual). As a consequence we cannot reliably use the "Occupation" field in which to undertake automated searches to identify officers that were alleged to have committed an offence.



The vast majority of the information we hold in relation to Professional Standards issues / complaints is retained on our Centurion database. Centurion is a legacy database which is limited in its functionality but adequately fulfils the policing requirements we have in recording matters related to conduct. The system is limited however in respect of the number of unique and specific fields it contains that retain key information – and which searches could then theoretically be run against to access information)

We do not have the capability within Centurion to run automated searches by which we can easily access and locate the information you are requesting, specifically the number for crimes that were alleged against officers which resulted in either no further investigation or no criminal action.

The only way of locating this information would be to review and read all of our complaint and conduct files for the time period you require, which run into many hundreds in number.

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.

Please Note :-

It also needs to be noted that there is no obligation on an Authority to create information simply to answer an FOI request, if that information does not already exist in the format required, which this is not.

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 :-

I can however provide details of the alleged crimes by officers that were investigated by Professional Standards and heard in court during the time period you have requested – these total four – details are as shown below.

Where there was a press attendance at the hearing and information was subsequently placed into the public domain, links to those articles have also been provided below :-

2019

- a) Female Special Constable convicted on 1st August 2019 for Perverting the Course of Justice – 5 months imprisonment. Dismissed.

[Former special constable lied to police in letters about her son's traffic offence | Swindon Advertiser](#)

2020

- b) Male Police officer convicted of making indecent images of children on 6th March 2020 - sentenced to 16 months in prison, suspended for 2 years, 2-year community order, 160 hours community service and 10 years registration and sexual harm prevention order. Dismissed.

- c) Male Special Constable convicted on 20th January 2020 of possession of indecent images – 12 months imprisonment suspended for two years 150 hours of unpaid work and 30 hours of rehabilitation activity – Dismissed.

[Wiltshire Police special constable who had pornographic pictures of babies gets suspended sentence | Salisbury Journal](#)

2022

- d) Male Police Officer convicted on 29th March 2022 for misconduct in a public office sentenced to nine months in prison – dismissed.

[Former policeman Darren Thorn jailed after sexual relationship with 'vulnerable woman' - Wiltshire Live](#)

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect 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 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