

**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: 20<sup>th</sup> June 2022

Your ref: FOI

Our ref: FOI 2022 / 477

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 5<sup>th</sup> June 2022 concerning DNA Samples.

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:**

Over the last three years, how many DNA samples were taken in sexual assault cases? How many went for processing in a lab and eventually into the National DNA Database?

It would be great if the data could be presented in a table such as the one below:

| Year    | Number of sexual assault cases recorded by your force | Of these cases, how many resulted in at least one DNA samples being taken from the victim? | Of the sexual assault cases, how many resulted in DNA being taken from a suspect? | Of those cases with DNA samples, how many were sent to a lab for processing? | Of the cases with DNA samples, how many were entered into National Criminal Database |
|---------|-------------------------------------------------------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 2018/19 |                                                       |                                                                                            |                                                                                   |                                                                              |                                                                                      |
| 2019/20 |                                                       |                                                                                            |                                                                                   |                                                                              |                                                                                      |
| 2020/21 |                                                       |                                                                                            |                                                                                   |                                                                              |                                                                                      |



INVESTOR IN PEOPLE

## **Our response:**

The information that you are requesting for the majority of your request (namely questions relating to DNA samples) is not stored in a way which permits easy retrieval.

Whilst our Crime Recording system(s) are sophisticated and we have numerous fields by which we can search for certain specific data, we do not - unfortunately - have unique searchable fields in which we record whether DNA samples have been provided by either the victim or suspect in a given offence, or indeed the number of samples.

We also do not keep a separate log detailing the numbers of DNA samples recorded, whether they were provided by victims or suspects or information confirming which individual crimes they were taken for, or if they were sent off to a separate external lab as opposed to those that were not. Even if we had that capability it would be open to conjecture as to the ease with which DNA samples relevant to Rapes and/or Sexual Assault could be specifically identified when compared to all other DNA sample.

All DNA samples taken by Wiltshire Police – whether these are physical exhibits, intimate swabs, elimination samples or PACE samples - are sent off to our Regional Forensics Unit who also handle forensic samples for other Forces such as Avon & Somerset and Dorset Police. Our Regional Forensics Unit have also confirmed to me that they do not retain DNA information in a format that is easily searchable, nor do they have information immediately available to hand with regards the volumes of DNA samples that have been added to the National DNA Database.

The only way of ascertain the information you require would be to read each and every crime occurrence log for every Rape and Sexual Assault that has occurred during the 3 year period you are requesting and compile the data you require (that is, even if it has been recorded).

Given that over that 3-year period, Wiltshire Police have recorded in excess of 1,600 Rapes and nearly 1,800 Sexual Assaults, 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 noting that there is no obligation on an Authority to create information where none currently exists, simply in order to answer an FOI request.

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