

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

www.wiltshire.police.ukdisclosure@wiltshire.police.ukDate: 12th October 2022

Your ref: FOI

Our ref: FOI 2022 / 741

Dear ***,

I write in connection with your request for information dated 20th September 2022 concerning deaths during or following police contact 2021/2022.

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:

Please provide the following information regarding deaths during or following police contact for the 2021/2022 financial year:

1. Road traffic incident fatalities

The number of deaths of motorists, cyclists or pedestrians arising from police pursuits, police vehicles responding to emergency calls and other police traffic-related. It does not include deaths following a road traffic incident (RTI) where the police have attended immediately after the event as an emergency service

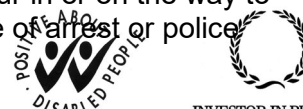
Please provide a breakdown by ethnicity (white, Asian, black, mixed, other or not known)

2. Fatal shootings

The number of deaths where police officers fired the fatal shot using a conventional firearm
Please provide a breakdown by ethnicity (white, Asian, black, mixed, other or not known)

3. Deaths in or following police custody

The number of deaths in or following police custody, This includes deaths that occur while a person is being arrested or taken into detention. It includes deaths of persons who have been arrested or have been detained by police under the Mental Health Act 1983. The death may have taken place on police, private or medical premises, in a public place or in a police or other vehicle. For example: Deaths that occur during or following police custody where injuries that contributed to the death were sustained during the period of detention, deaths that occur in or on the way to hospital (or other medical premises) following or during transfer from scene of arrest or police



custody, deaths that occur as a result of injuries or other medical problems that are identified or that develop while a person is in custody.

Please provide a breakdown by ethnicity (white, Asian, black, mixed, other or not known)

4. Apparent suicides following police custody

The number of apparent suicides that occur within two days of release from police custody. It also includes apparent suicides that occur beyond two days of release from custody, where the period spent in custody may be relevant to the subsequent death

Please provide a breakdown by ethnicity (white, Asian, black, mixed, other or not known)

5. Other deaths following police contact

The number of deaths that follow contact with the police, either directly or indirectly, that did not involve arrest or detention under the Mental Health Act 1983 and were subject to an independent investigation by the IOPC.

Please provide a breakdown by ethnicity (white, Asian, black, mixed, other or not known)

Our response:

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

We are currently unable to search for this specific information on our database without going into each file and researching the details and manually lifting out the data from the investigation. All our Death or Serious Injury (DSI) related matters are recorded as an MI (Miscellaneous) file on our database and for the time period highlighted 2021/222 there are over 200 files. Not all of them relate to DSI, however, in order to determine if they did relate to DSI we would be required to research each one and this would take in excess of 18 hours. There are statistics reported on these matters on the IOPC website, they are reported on for all forces and can be found at the following link: -

<https://www.policeconduct.gov.uk/research-and-learning/statistics/annual-deaths-during-or-following-police-contact-statistics>

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.

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: -

Please note these are the only questions we can obtain data on which do not require a manual trawl.

Question 1

Road traffic incident fatalities – **Zero.**

Question 2

Fatal shootings – **Zero**.

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,

Disclosure Decision Maker



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN

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 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