

**Police Headquarters**

London Road

DEVIZES

Wiltshire

SN10 2DN

disclosure@wiltshire.police.uk

Date: June 12, 2023

Your ref:

Our ref: FOI 2022/835

Reply contact name is:

Dear Taylor,

I write in connection with your request for information, dated 18th October 2022 concerning Stalking Protection Orders.

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:

1) How many application packs for Stalking Protection Orders were completed by police officers/staff in Wiltshire Constabulary during the period 19th January 2020 – 30th April 2022? (If possible, please indicate the month of application. If this is too onerous, a total is sufficient).

a. Of these application packs, how many were authorised by superintendents and put before the court?

2) Of the Stalking Protection Orders put before the court by Wiltshire Constabulary in the period 19th January 2020 – 30th April 2022, how many were granted by the court?

3) How many application packs for Interim Stalking Protection Orders were completed by police officers/staff in Wiltshire Constabulary during the period 19th January 2020 – 30th April 2022? (If possible, please indicate the month of application. If this is too onerous, a total is sufficient).

a. Of these application packs, how many were authorised by superintendents and put before the court?

4) Of the Interim Stalking Protection Orders put before the court by Wiltshire Constabulary in the period 19th January 2020 – 30th April 2022, how many were granted by the court?

5) How many stalking incidents were recorded by Wiltshire Constabulary in the period 19th January 2020 – 30th April 2022? (If possible, please indicate the month of the incident. If this is too onerous, a total is sufficient).

a. If this data is available, please indicate how many of these incidents were flagged as cyber-dependant and/or cyber-enabled.

Thank you for your time and I look forward to your response.

While you were able to provide data on stalking incidents, it was stated that the information on SPOs could not be easily retrieved and thus exceeded the cost limit. However, as previously mentioned, I have released the same set of questions in FOI requests to all police forces in England and Wales and have received data on SPOs from almost all the forces that have responded so far. As well as this, a study on SPOs conducted within Cheshire Police (referenced in the Home Office review of SPOs) was able to receive data similar to what I am requesting from territorial police forces by also using FOI requests as a method of data collection. Therefore, I was wondering if the original FOI request could perhaps be reviewed to see if any data could be provided on SPOs applied for by Wiltshire Police between 19th January 2020 and 30th April 2022 (or possibly answers to Q1-4).

Response:

On reviewing your Freedom of Information request, the response provided to you and your request for an Internal Review, I uphold the original response provided to you.

Wiltshire Police do not have the search facility to automatically gather this type of information. To confirm, as this data is not contained within a centrally held area, to ascertain this information for the requested time-period (two years), it would require manually searching and reading each and every stalking Occurrence individually to answer your questions.

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. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Ordinarily under our Section 16 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. However due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved.

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:

Proud to serve and protect our communities

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,



The 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

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

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>