



Force Disclosure Unit
Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 9th November 2022

Ref: FOI 2022/864

Dear,

I write in connection with your request for information dated 2nd November 2022 concerning LGBT people living with dementia.

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:

I would like figures from-

- January 2018 – to present
- All crime types or ASB incidents where the Victim was either LGBT or perceived as LGBT.
- Victim types - who were living with dementia at the time of the incident or perceived as living with dementia.
- Location type -Private or public and explicitly if the incident was described as having occurred in a care setting.

Our response:

The information that you are requesting for the majority of your request is not stored in a way which permits easy retrieval. This is because there is no mandatory tag that can be linked with an individual on our crime recording systems to show whether they identify as LGBT or not. The only way in which we would know if an individual identifies as LGBT would be if they were to state so and we would not be able to "perceive" an individual as LGBT. If an individual who identified as such were to make a report about a theft for example, then asking the individual their sexual orientation or what they choose to identify as would not be relevant to the report (unless the victim thought it to be relevant). Therefore, there could well be many reports that have been made over the time period requested from individual(s) who identify as LGBT, but the reports they have made might not directly

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relate to their sexuality or way they choose to identify, in which case we would not hold this information. However, in order to establish whether this information is held for all crime types and to retrieve this information, this would require a manual perusal of all reported crimes that have been made since the time frame requested.

Also, this is a similar case with individuals who have dementia. Whilst we do have a "dementia" tag in Storm, this tag is not well used and cannot be relied upon fully and we would still need to physically look through each log where the tag has been used to see if it relates to a victim with dementia who also identifies as LGBT.

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, that if one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

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. In order to do so, I would suggest requesting for sex/transgender related hate crimes, however, please note, that exemptions may still apply if you would still require us to ascertain whether the victims of such reports have dementia – as again, this would involve a manual perusal in order to obtain this information.

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,

Force Disclosure Decision Maker

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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

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.

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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