



Force Disclosure Unit

Wiltshire Police HQ
London Road
Devizes
Wiltshire
SN10 2DN
Tel 101 ext 62005

www.wiltshire.police.uk

disclosure@wiltshire.pnn.police.uk

XXXXXX – by email

Date: 17th November 2022

Your ref: FOI

Our ref: FOI 2022 / 904

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 14th November 2022 concerning Strip Searches.

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 (and Our Response) :

1) How many 'strip searches' were carried out by your officers in the past three years (1st November 2019 - 31st October 2022) while the person being searched **was** in police custody.

Please list each occasion and the information by:

- sex of person searched
- age of person searched
- ethnicity of person searched
- reason given for the search
- outcome of the search (items found?)

This information is exempt from response under Section 12 of The Act – see note below

2) How many 'strip searches' were carried out by your officers in the past three years (1st November 2019 - 31st October 2022) while the person being searched **was not** in police custody.

Please list each occasion and the information by:



INVESTOR IN PEOPLE

- sex of person searched
- age of person searched
- ethnicity of person searched
- reason given for the search
- outcome of the search (items found?)
- whether the individual was then arrested

We do not record within the Force, specific details of any strip searches that may have been undertaken when an individual was not in custody. Our response to Question 2 is therefore – No Information Held

Please Note

The information that you are requesting for Q1 is not stored in a way which permits easy retrieval.

Whilst we record overall totals for Strip Searches undertaken in Custody, we do not record all the specific information you are requesting (eg the Age and Ethnicity of the person being searched), nor the specific reason for that search in an easily searchable manner.

The only way of ascertaining the information you require would be to manually review the specific details of each and every Strip Search record to record the specific details you require (that is to say even if they have been recorded) and produce a new schedule of information relevant to each individual Strip Search record.

For the time period you are requesting, Wiltshire Police have undertaken in excess of 1,200 Strip Searches in Custody. Even allowing a very generous 2 minutes per record to undertake this task, 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.

It also needs to be recognised that there is no obligation on an Authority to create information (where none exists today) simply 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.

However, also under our Section 16 duty I would recommend that you review our previously published FOI's relating to Strip Searches. These can be reviewed by accessing the following website page and using the search facility to look for the word "Strip". This returns nearly a dozen previous FOI responses since 2021 regarding Strip Searches (In and Out of Custody) and will assist you with what information we do actually hold and are able to supply :-

www.wiltshire.police.uk/foi-ai/af/accessing-information/published-items

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.



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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 Fol 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