

WILTSHIRE POLICE



XXXXXXXXX
By email

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

Date 3rd February 2023

Our Ref FOI 2023-037

Dear XXXXX,

I write in connection with your request for information dated 9th January 2023, concerning compensation for unlawful arrests. The second question of this request - in relation to the police barred list - was withdrawn by yourself on 24.01.2023, and therefore this has been omitted from this response letter.

Further to the disclosure provided on 30th January 2023, you sent an email on 31st January 2023 regarding the second part of the question (average compensation paid) as this was not originally responded to within the disclosure dated 30th January. Please see below for the response to the second part of this question, identified in red.

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.

Following receipt of your request, research was conducted by the Insurance and Litigation Department at Wiltshire Police.

Your request for information has now been considered and I am able to respond as follows.

You wrote:

How many people have received compensation and the average compensation paid to them for the unlawful arrests and behaviour of police officers for each calendar years (2013 to 2022)

Clarification received from applicant, 19.01.2023

A number of police services that have received my FOI request below have come back to me asking for clarification of what I mean by unlawful behaviour.

Unlawful behaviour is anything that occurs as a result of an unlawful arrest, If I give an example where Sussex Police unlawfully arrested me twice on 29/10/2019 which led to an unlawful search of my flat and breaches of Code C and section 56 of Police and Criminal Evidence Act 1994 while I was in detention for 15 hours at Crawley Police Station. On 27/10/2022 they gave me a written apology and £12,000 compensation for their unlawful arrests and behaviour.

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Our response:

Please note: We are only able to provide information back to 2015, due to a replacement in the claims recording system.

Under the claim type description "Unlawful Arrest / False Imprisonment", there have been 12 claims since 2015.

- ❖ 2015 – 1
- ❖ 2017 – 4
- ❖ 2018 – 1
- ❖ 2019 – 1
- ❖ 2020 – 1
- ❖ 2021 – 2
- ❖ 2022 – 2

No information held - Wiltshire Police do not record the average compensation paid in claims. There is no requirement under the FOIA for a public authority to create data to furnish a 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,

Abigail Standidge

Phone: 01722 547081

Email: abigail.standidge@wiltshire.police.uk

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



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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 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

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 to contact them, please visit <https://ico.org.uk/global/contact-us/>

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