

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

XXXXXX – by email

Date: 11th April 2023

Your ref: FOI

Our ref: FOI 2023 / 399

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 5th April 2023 concerning Firearms Reports.

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:

This Freedom of Information Request for Data has been placed with 45 constabularies as part of a wider project.

Our intention is to create a more accurate picture than the one currently available through 'by Force' Data that is published annually by the Home Office.

Using the latest available data and going back to 2015, please provide a year-by-year breakdown by postcode of:

(a) all logged firearms incident reports

NOTE: If a Postcode for the above logged data is not recorded or available, please provide the data by Divisional Area Code and Beat Code

Following the processing of each of the above logged incidents, please provide the following data by Postcode:

- (b) Non-fatal injury by shooting
- (c) Murder by shooting
- (d) Firearms discharge
- (e) Firearms recovery following search
- (f) Ammunition recovery



INVESTOR IN PEOPLE

NOTE: If a Postcode for the above logged data is not recorded or available, please provide the data by Divisional Area Code and Beat Code

Thank you for your time and consideration of this request.

Our response:

The information that you are requesting for the majority of your request is not stored in a way which permits easy retrieval.

Whilst our crime and incident recording systems are sophisticated and we have a number of designated fields in which we can log / record key information (and which we can then conduct automated searches on), the fields we have which record whether weapons – and particularly firearms have been involved in a particular incident – are not mandatory and are populated solely at the discretion of the person recording that particular crime or incident.

In a significant number of cases, this information is not completed at all when a crime or incident involving firearms occurs and, as a consequence, the content of those fields cannot be trusted, certainly as the basis for the subsequent publishing of statistics in the public domain via an FOI response.

It should also be noted that we do not have any fields in which we specifically record the type (eg the make, model age etc) of a firearm that may have been used in a given crime or incident.

For the time period you require there have been 1,045 flags entered on our system(s) against records where it has been recorded that a weapon of some kind has been used (this would be any type of weapon, not simply a firearm).

There have also been in excess of 3,300 other records where the offence description details that a firearm or offensive weapon was involved (again this could be any type of weapon, not specifically a firearm).

As I have already explained, these records cannot be trusted for accuracy and – in most likelihood - will be significantly understated.

Even reviewing just these 4,345 records in turn to ascertain which relate to firearms and recording the information you require – and allowing a very conservative 3 minutes per record in which to do so – 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.

In reality, the information regarding the use or involvement of a firearm of some kind in a crime or incident would only be held in the narrative of the occurrence log of a crime or a call log. In some instances for example, a firearm could have been used to shoot out windows (eg on a conservatory or to damage motor vehicles etc), which in likelihood will have been recorded as an ASB (Anti-Social Behaviour) Incident and that detail would be recorded in the call log which would necessitate being read in each case.

The ascertaining of the information you would only be possible by physically reading every crime and call made for the time period you require and recording separately the information that meets your criteria.

Given that in a given calendar year Wiltshire Police record something in the region of c40,000 individual crimes and a similar number of non-crime incidents, 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

It also needs to be noted 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.

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.



Force Disclosure Unit

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