

WILTSHIRE POLICE



XXXXXXX
By email

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

Date 30th May 2023

Our Ref FOI 2023-407

Dear XXXXX,

I write in connection with your request for information dated 6th April 2023, concerning gun certificates and offences committed. Please accept my apologies for the delay in providing a response to your request.

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 Firearms Licensing Department at Wiltshire Police. Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

Would you please be able to tell me:

- 1) How many gun certificates issued by your force are currently in effect?
- 2) How many new certificates have been approved in the past 12 months (from today, April 5)?
- 3) How many applications have been rejected in the past year?
- 4) How many have been revoked, and could I please have a breakdown of the reasons?
- 5) How many times have gun(s) been taken off someone and subsequently returned in the past year?
- 6) How many cases are you aware of where someone with a gun certificate has committed, or is alleged to have committed, a firearm offence in the past year?
- 7) How many cases are you aware of where someone with a gun certificate has committed, or is alleged to have committed, any other type of offence in the past year?

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Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

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.

The information you are requesting - namely in relation to question 5 - is not stored in a way which permits for easy retrieval. To provide a response to this question would require manually cross-referencing the information on the Firearms Licensing Department spreadsheet with each associated occurrence on Niche and data from the National Firearms Licensing and Management System.

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.

Please also 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 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved.

Although excess cost removes the Forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I can provide you with is documented below:

Please note:

- ❖ Whilst every effort has been made by the Firearms Licensing Department, the below gesture of goodwill figures **may not** be accurate, as the individual who would usually complete these requests is currently out of office due to long term sickness. I would suggest you contact us again in a few months' time to obtain a more accurate response to your request.
- ❖ The below figures are for the period 05.04.2022 to 05.04.2023, unless otherwise stated.

Would you please be able to tell me:

- 1) How many gun certificates issued by your force are currently in effect?

Since 20.05.2018 to 26.05.2023 (date response was received from Firearms Licensing Department) – 500 granted Firearms and Shotgun certificate holders.

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Please note: This figure may possibly be higher, however the individual assisting with this request worked on a 5 year basis as that is when renewals etc are due.

2) How many new certificates have been approved in the past 12 months (from today, April 5)?

500 granted certificate holders

3) How many applications have been rejected in the past year?

8

4) How many have been revoked, and could I please have a breakdown of the reasons?

10

Please note: To provide a further breakdown of this information would identify individuals, due to the nature of some of the reasons for the license being revoked. This would engage a further exemption, so has not been provided within the disclosure.

6) How many cases are you aware of where someone with a gun certificate has committed, or is alleged to have committed, a firearm offence in the past year?

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Please note: There are further incidents that may have involved a firearm (i.e. domestic violence incident etc), however this information has not been listed on the spreadsheet used by the Firearms Licensing Department. To provide an accurate figure would require reviewing each incident in more detail, which would only further add to the already exceeded time limit.

7) How many cases are you aware of where someone with a gun certificate has committed, or is alleged to have committed, any other type of offence in the past year?

69 general 'coming to notice' offences (not all offences)

Please note: To break this figure down further would require manually reviewing the relevant incidents on the spreadsheet used by our Firearms Licensing Department. This would only add to the already exceeded time limit.

Section 17 of the Freedom of Information Act 2000 requires 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.

Please contact me if you would like to discuss the withheld information.

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



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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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