



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

Date: 12th May 2023

Your ref: FOI

Our ref: FOI 2023 / 458

I write in connection with your request for information dated 19/04/2023 concerning statistics on spiking.

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:

Q1) For the previous 5 calendar years please provide the total numbers of spiking incidents reported, plus any figures available on such reports for 2023 (specifying period). Please search for this data by means of keyword searches of MO codes, using the terms 'spike', 'spiking', 'spiked', and crimes alleged under the following Home Office codes:-

- 005/10 Administering poison so as to endanger life
- 005/24 Use of noxious substances or things to cause harm and intimidate
- 008/02 Administering poison with intent to injure or annoy
- 088/05 Administering a substance with intent

Please could you provide this data broken down by year.

- a) 2018
- b) 2019
- c) 2020
- d) 2021
- e) 2022
- f) 2023 - latest available data

Q2) For the reported crimes above, please state the number of cases referred to the CPS for a charging decision, and the number of convictions.

Please could you provide this data broken down by year.

- a) 2018
- b) 2019
- c) 2020
- d) 2021
- e) 2022
- f) 2023 (including latest available data)

Q3) For each year please provide number of cases where a sample from the alleged victim was sent for forensic testing Please could you provide this data broken down by year.

- a) 2018
- b) 2019
- c) 2020
- d) 2021
- e) 2022
- f) 2023 (including latest available data)

Q4) Finally can you please attach MO codes from Jan 1st 2023 for spiking-related offences? I accept redactions may need to be made to remove personal information.

Our response:

The information that you are requesting for question 3 of your request is not stored in a way which permits easy retrieval. Our Regional Forensics Unit have confirmed there are 500 cases that would require manually looking at to see if they are linked to a spiking offence.

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 noting that there is no obligation on an Authority to create information where none currently exists, simply in order 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.

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.

Q1 wildcard search was completed from the MO using words 'spike', 'spiking', 'spiked'

Reported MonthYear	HO codes				
	5/10	5/24	8/2	88/5	Grand Total
Jan			4		4
2022			3		3
2023			1		1

Feb			6	1	7
2022			6	1	7
Mar				2	2
2022				1	1
2023				1	1
Apr			1		1
2022			1		1
Jun			2		2
2022			2		2
Aug	1		2		3
2021			1		1
2022	1		1		2
Sep			4	2	6
2018				1	1
2021			2		2
2022			2	1	3
Oct			3	1	4
2020			1		1
2021				1	1
2022			2		2
Nov		1	4		5
2021			4		4
2022		1			1
Dec			3		3
2021			2		2
2022			1		1
Grand Total	1	1	29	6	37

Please note: A 'wildcard' search is not considered to be an accurate search method and relies on the text being a true representation of the incident.

Q2 Wiltshire police does not hold 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

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 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