

**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: 28th June 2023

Your ref: FOI

Our ref: FOI 2023 / 606

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 7th June 2023 concerning Stop and Search Complaints.

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:

My request relates to stop and searches. I would like the information to be broken down according to year and police force(s).

I would like to request the following information:

1. How many complaints you have received about stop and searches in the following time periods:

- 1 January 2018 to 31 December 2018
- 1 January 2020 to 31 December 2020
- 1 August 2022 to 07 June 2023

2. A breakdown of the allegations made in each complaint.

3. What the outcome was of each complaint.

Our response:

The information that you are requesting for the majority of your request (namely for 2018 and the majority of 2020) is not stored in a way which permits easy retrieval.



INVESTOR IN PEOPLE

Information in respect of Complaints made to Wiltshire Police are held on a system called Centurion. Centurion is a legacy database which is under constant review and subject to ongoing improvement / development.

Until mid-way through 2020, our Centurion system did not allow users to be able to easily break down the specific reason for a complaint being made or the reason why an internal investigation may have been initiated by the specific cause or topic (in this case Stop and Search).

In order for us to obtain the information you require for 2018 and 2020, it would necessitate us manually reviewing each and every complaint / internal investigation logged on our Centurion system during both 2018 and 2020 to ascertain whether it met your criteria of being related to the Stop and Search process and then correlate the information you require.

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.

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 am able to provide you are the answers documented below :-

Time Period 1st August 2022 to 7th June 2023

Number of Stop n Search Complaints 24

Details as follows :-

Allegation No	Allegation Summary	Case Outcome
1	Complainant is not happy with the location that officers stopped them.	Resolved
2	Complainant alleges that the Police stop was unlawful	Live Investigation
3	Complainant unhappy with the reason for the vehicle stop	Live Investigation
4	Complainant unhappy with Officers conducting a vehicle stop	The service provided was not acceptable
5	Complainant alleges that the Police stop was unlawful	The service provided was not acceptable
6	Complainant unhappy with Officers conducting a vehicle stop and states it was unlawful	Resolved
7	Complainant unhappy with being stop checked	Resolved
8	Complainant alleges that Police are harassing them by carrying out stop checks	Live Investigation
9	Complainant unhappy with being stop checked	Live Investigation

10	Complainant unhappy with being stop checked	Live Investigation
11	Complainant unhappy with being stop checked and did not receive a copy of the search form	Resolved
12	Complainant unhappy with being stop checked	De Recorded
13	Complainant unhappy with being stop checked	The service provided was acceptable
14	Complainant unhappy with being stop checked	Live Investigation
15	Complainant unhappy with the reason for the vehicle stop	Live Investigation
16	Complainant unhappy with how they were spoken to during the stop check	No further action required
17	Complainant is unhappy with the reason given for his vehicle stop check	Resolved
18	Complainant dissatisfied with the technique used by Police to stop complainant's vehicle.	The service provided was acceptable
19	Complainant unhappy with being stop checked	Resolved
20	Complainant is unhappy they were searched in public view	Resolved
21	Complainant unhappy with being stop checked	Resolved
22	Complainant unhappy with the reason for the vehicle stop	The service provided was acceptable
23	Complainant dissatisfied with the technique used by Police to stop complainant's vehicle.	Live Investigation
24	Complainant alleges he is being harassed by officers because of how they dress	Resolved

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of 2018 and 2020 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 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