

**Police Headquarters**

London Road

DEVIZES

Wiltshire

SN10 2DN

disclosure@wiltshire.police.uk

Date: July 12, 2023

Your ref:

Our ref: FOI 2023/676

Reply contact name is:

Dear

I write in connection with your request for information, dated July 2nd 2023 concerning Bully XL attacks.

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 Team Performance Department of Wiltshire Police.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You Wrote:

Q1: The number of dog attacks that have been recorded by your force? Please have this broken down annually, by breed and by any categorisation you might give for those attacks over the past 5 years.

Q2: The number of dogs seized by your force (dogs that are out of control, aggressive, have attacked someone/an animal or are considered dangerous) over the past 5 years? Broken down annually, by your categorisation and by breed.

(If you would like to save time compiling the above, we would only like data from dogs which are related to the Bully XL: American Bully, Staffy Cross or any type of Bully cross)

Has your force written to Central Government expressing concerns over the rise of attacks attributed to Bully XLs?

Is there anything you'd like to add about the views of your force when it comes to the rise of Bully XL attacks?

Response:

The information that you are requesting for Question One is not stored in a way which allows for easy retrieval and Wiltshire Police do not have the search facility to automatically gather this data. To clarify, our Team Performance Department have confirmed that to ascertain this information for the requested time period would require manually searching and reading each and every of the following Occurrences individually:

- In charge of dog out of control in ANY place injuring any person or assistance dog
- Owner or person in charge allowing dog to be dangerously out of control in any place in E&W (whether or not in public place) injuring any person or assistance dog

These would need to be reviewed to determine whether they related to the breed of dog requested. This would exceed the 18 hour work limit to locate, retrieve and extract the information, therefore Section 12 applies.

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.

Under our Section 16 obligation to provide advice and assistance, I would advise that you could resubmit your request without this Question, however please note that other exemption(s) may be applicable. Please also note that there is no obligation to create data to answer a Freedom of Information request, such as by adding specific views (Question Four).

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.
Proud to serve and protect our communities

Yours sincerely,



The 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

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 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

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