

WILTSHIRE POLICE



XXXXXXX
By email

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

Date 24th July 2023

Our Ref FOI 2023-716

Dear XXXXX,

I write in connection with your request for information dated 17th July 2023, concerning dangerous dogs.

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 Business Intelligence department and Dogs Unit 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 and our response:

For the period from 1 July 2021 to 1 July 2022, how many reports were received of an owner or person in charge allowing a dog to be dangerously out of control in any place in England and Wales, injuring any person or assistance dog?

Reported Month Year	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
Jul-2021	
Aug-2021	
Sep-2021	1
Oct-2021	
Nov-2021	
Dec-2021	
Jan-2022	
Feb-2022	
Mar-2022	
Apr-2022	
May-2022	22
Jun-2022	49
Total	72

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For the period from 1 July 2021 to 1 July 2022, how many of the above reports received were identified to be an American XL Bully?

Please see the response at the end of the request questions.

For the period from 1 July 2021 to 1 July 2022, how many dogs have been detained under the Dangerous Dogs Act?

22

For the period from 1 July 2021 to 1 July 2022, how many dogs have been destroyed under the Dangerous Dogs Act?

7

For the period from 1 July 2022 to 1 July 2023, how many reports were received of an owner or person in charge allowing a dog to be dangerously out of control in any place in England and Wales, injuring any person or assistance dog?

Please note: Due to a current backlog, we are only able to supply data on reports up to 31st May 2023. Therefore, we request you come back at a later date to request the figures for 1st June 2023 up to 1st July 2023.

Reported Month Year	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
Jul-2022	48
Aug-2022	37
Sep-2022	45
Oct-2022	47
Nov-2022	21
Dec-2022	15
Jan-2023	25
Feb-2023	25
Mar-2023	35
Apr-2023	34
May-2023	45
Total	377

For the period from 1 July 2022 to 1 July 2023, how many of the above reports received were identified to be an American XL Bully?

Please see the response at the end of the request questions.

For the period from 1 July 2022 to 1 July 2023, how many dogs have been detained under the Dangerous Dogs Act?

26

For the period from 1 July 2022 to 1 July 2023, how many dogs have been destroyed under the Dangerous Dogs Act?

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Question 2 response (breed identified to be an American XL Bully)

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 - regarding the second question for each period requested (breed identified to be an American XL Bully) - is not stored in a way which permits for easy retrieval. Our Business Intelligence department do not have the capabilities to allow them to search on the breed of a dog. To provide this information would require manually reviewing each occurrence recorded under "Owner or person in charge allowing dog to be dangerously out of control in any place in E&W (whether or not in a public place) injuring any person or assistance dog". This would require manually reviewing 449 occurrence reports, and potentially any accompanying documents, to establish whether the breed was an American XL Bully (if this was recorded).

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.

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.

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

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