



WILTSHIRE POLICE

Force Disclosure Unit

Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 24th July 2023

Ref: FOI 2023/664

I write in connection with your request for information dated 26th June 2023 concerning Digital Evidencing.

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 after having consulted Digital Forensics – I am now able to respond as follows.

You wrote / Our response

1. Digital Evidence Department: a) Does your police force deal with video and image evidence? b) if so, which department deals with it?

Yes Digital Video Unit deals with video/CCTV and Imaging Hub deals with images.

2. Software: a) What image and video software is used in this department?
Challenges and limitations: a) What are the main issues you find with Video evidence? For example, underexposure or blur image/videos?

Amped 5, Camtasia and Adobe suite is used for video evidence. CCTV evidence can be blurred, enhancement is sometimes necessary.

3. Training and Expertise: a) Has your police force provided training to digital forensic staff on the use of Video Editing software? If yes, please provide details on the type of training given.

Yes training 'Leva' training is provided and core skills.

4. Amped Five: Do you use the software Amped FIVE in your department? if not, why is this and do you use external providers? If used, what factors influenced the decision to acquire Amped FIVE?

Yes, we use Amped Five. Can be used in Accreditation

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www.wiltshire.police.uk | [Facebook/wiltshirepolice](https://www.facebook.com/wiltshirepolice) | [Twitter/@wiltshirepolice](https://twitter.com/wiltshirepolice) | [LinkedIn/company/wiltshirepolice](https://www.linkedin.com/company/wiltshirepolice)

5. Frequency and Scope of Use: a) How frequently is Amped Five used within your police force's digital forensic investigations? b) In what types of cases or scenarios is Amped Five typically employed? c) Are there any specific features or capabilities of Amped Five that are particularly valuable in your investigative processes?

- a) Every day
- b) Crime
- c) Enhancement of number plates

6. Collaboration and Support: a) Does your police force collaborate with other law enforcement agencies or organizations in using Amped Five for digital forensic investigations? b) Do you have any established relationships or partnerships with Amped Software for technical support, updates, or feedback?

Yes, we are a four force collaboration, Devon and Cornwall, Dorset, Avon and Somerset and Wiltshire, they all use it.

b) Yes

7. Outcomes and Admissibility: a) Can you provide information on any cases where the use of Amped Five has contributed to successful outcomes or convictions? b) Have there been any instances where the results or findings obtained through the use of Amped Five have been challenged in court? If so, please provide brief details.

Under the Freedom of Information Act 2000 (FOIA), this request is exempt by virtue of the following exemptions:

- *Section 30(1) – Investigations*
- *Section 40(2) – Personal Data*

Section 30 is a qualified exemption and therefore requires the harm in disclosing this information, along with a Public Interest test, to be articulated. This will be carried out below.

Section 40 is an absolute exemption and therefore there is no requirement to articulate the harm or conduct a public interest test.

Information which constitutes personal data is exempt under Section 40(2) of the FOIA if it relates to a third party and the disclosure to the public would contravene the data protection principles set out in Section 34 of the Data Protection Act 2018, and Article 5 of the GDPR.

Public Interest Test – Section 30(1) (Investigations)

Overall Harm

Release of information under the Freedom of Information Act is effectively a disclosure to the world, not just to the individual making the request. A disclosure of the information requested, if not already contained within the public domain, would likely prejudice any ongoing or future investigations which may be linked to (or similar to) the information which has been requested. As a result, this would likely jeopardise Wiltshire Police's ability to prevent and investigate crime.

Factors favouring Disclosure

Police investigations are publicly funded and therefore, the public has the right to know where the funding and resources for Wiltshire Police are being spent. Disclosure would show Wiltshire Police as being open and transparent with the public, and would allow the public to scrutinise the way any digital evidencing software is used within our Force area. Additionally, the disclosure would ensure the public are reassured that all lines of enquiry are investigated.

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Factors against Disclosure

The integrity of investigations is fundamental to our ability to police and provide our service to the public. If a disclosure was made which related to an ongoing investigation involving this software, it may compromise the integrity of an investigation. Any disclosure of details within an investigation would be seen as Wiltshire Police not taking seriously the responsibility of appropriately handling and managing its investigations, which is not in the public interest.

Balance Test

Wiltshire Police are charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Whilst there is a public interest in the transparency in the use of digital software, there is a very strong public interest in safeguarding the integrity of police investigations.

For the reasons outlined above, the Public Interest lies in favour of non-disclosure of the information which has been requested.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide 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.

Exemptions applied:

- Section 30(1) – Investigations
- Section 40(2) – Personal Information

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,
Force 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

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.

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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