

**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: 10th August 2023

Your ref: FOI

Our ref: FOI 2023 / 800

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 9th August 2023 concerning Cyberstalking.

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:

Over the last 10 years, how many reports of cyberstalking have Wiltshire Police received?

How many perpetrators have been charged with offences relating to cyberstalking?

How many cases have involved the use of smart devices to facilitate stalking, primarily Amazon Alexa and Google Home devices?

Please could this information be broken down annually in calendar years in a table format, with a column for each year from 2013 - 2023.

Our response:

The information that you are requesting is not stored in a way which permits easy retrieval.

Wiltshire Police's crime recording is based on Home Office Crime Recording Guidelines.

Whilst Cyberstalking is a crime, it does not belong to its' own Crime Recording Code. Any offences of this nature fall under the crime codes of Stalking and/or Harassment.



INVESTOR IN PEOPLE

Recent attempts have been made within Wiltshire Police to improve our reporting of Cyber-based crime - this has been done by the addition of a local qualifier flag on the crime record which can be used to identify if the offence concerned is Cyber-Dependent, Cyber-Enabled or Cyber-Facilitated. Unfortunately these flags are not mandatory and as a consequence are not always used or are used incorrectly.

Indeed, historical reviews of Stalking & Harassment crimes that have been reported has exposed a number of significant flaws such as the following :-

- The wrong cyber flag being allocated to a crime
- A cyber flag being assigned incorrectly when cyber has not been involved
- Numerous records where cyber has been involved but the flag has not been used

Due to these inaccuracies we do not consider information held against these flags to be accurate – certainly not to then place information in the public domain as this FOI response will be.

In addition, whilst our crime recording system(s) are fairly sophisticated and we have a number of specific fields in which data is recorded (and can then theoretically be searched against), we do not have specific fields in which we record whether the crime has featured the involvement of either Amazon Alexa or Google Home Devices (or the like).

The only way we could ascertain the information you require would be to locate and manually read each and every Stalking and Harassment crime recorded for the time period you require in order to see whether it met your criteria, and if so, make a manual record of the information.

Given that in any given calendar year Wiltshire Police typically record anything up to 4,000 individual crimes that fall under either Stalking and/or Harassment – and assuming a very conservative 5 minutes per record - 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.

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.

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