

**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 E mail

Date: 2nd October 2023

Your ref: FOI

Our ref: FOI 2023 / 937

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 27th September 2023 concerning Phone Number and E Mail Spoofing.

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 I am not obliged to supply the information you have requested.

You wrote:

Please can you supply me with the following information?

Request 1

1. How many reports you have received of people having their phone numbers fraudulently spoofed by companies in the past three years?
2. How many reports you have had of people receiving cold calls from spoofed numbers in the past three years?
3. How many of these reports have been investigated?
4. How many have resulted in a conviction?

Request 2

1. How many reports you have received of people having their emails fraudulently spoofed by companies in the past three years?
2. How many reports you have had of people receiving email messages with forged sender addresses in the past three years?
3. How many of these reports have been investigated?
4. How many have resulted in a conviction?



INVESTOR IN PEOPLE

Our response:

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

Wiltshire Police record crimes in accordance with the current established Home Office Crime Classification Codes that are in use.

There are no specific crime categories currently in existence today by which we can record any suspected criminal activity (if there has even been any) as suggested by either of your requests. If any criminal activity had been demonstrated or proved then it would most likely be recorded on our systems under codes such as one or more of the following :-

Theft from the Person
Miscellaneous Crimes Against Society
As a Summary Offence
As a Fraud Offence (see separate note below)

Whilst our crime recording system(s) are fairly sophisticated and we hold a lot of information relevant to a crime in separate searchable fields on our systems, we do not have independent fields in which we can record any criminal activity suggested by your requests or which specifically feature either Phone Number or E Mail spoofing.

The ascertaining of any information we may hold in relation to this would only be possible by physically reading every crime occurrence recorded for any of the above crime categories for the time period you require.

Given that in any given calendar year, Wiltshire Police record something in excess of 30,000 individual crimes recorded under either Theft from a Person, Miscellaneous Crimes Against Society or as Summary Offences, 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.

Please Note

One could argue that it is not an offence in itself for a caller to either disguise or withhold the phone number they may be calling from (indeed callers can do this already from home should they wish by using the 141 facility). Nor is it an offence to send E mail from an E mail address which is either anonymised or named as something spurious and not indicative of the business they actually suggest to be.

If any activity suggested in either of your requests has actually resulted in Fraudulent Criminal Activity occurring and being reported to Wiltshire Police, then our response is as follows – **No Information Held.**

There is no obligation on an Authority to supply an explanation when they are providing a No Information Held response, however in this instance – and under our Section 16 duty to provide help and assistance wherever possible - please refer to the following notes which help explain the reasons why data is not held in this instance.

Any crimes relevant to either the spoofing of Phone Numbers or E Mail Addresses which have resulted in Fraudulent Activity and/or loss to an individual that are reported to or identified by Wiltshire Police are referred immediately to the National Fraud Agency (Action Fraud) for recording and possible investigation. Wiltshire Police do not physically keep records of crimes that are referred to the NFA.

In terms of the specific cases of fraud that might result in referral to Action Fraud, there are a number of ways in which this can happen :-

- Offences of this kind being reported to Wiltshire Police which we then refer on to Action Fraud to investigate
- Direct reporting to Action Fraud by victims and/or members of the public
- Investigations by Wiltshire Police into other crimes where these types of offences may have occurred and which we then refer the potential Fraud offence directly to Action Fraud to log and investigate
- Referral by other partnership agencies (eg Social Workers etc) where such spoofing via Phone or E Mail might have been identified and referred directly to Action Fraud
- Referral / whistleblowing directly by members of the public or other parties

In this instance, in order to obtain the information you are requesting, we suggest you submit a separate FOI request directly to the National Fraud Agency.

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 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