

WILTSHIRE POLICE



Via email



Police Headquarters

London Road
DEVIZES
Wiltshire
SN10 2DN

disclosure@wiltshire.police.uk

Date 31/10/2023

Our ref FOI 2023/924

Reply contact name is:

Dear *****,

I write in connection with your request for information, dated 21/09/2023, concerning murders later re-classified to other crimes or no-crime.

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, searches were conducted with Business Intelligence Team of Wiltshire Police.

Your request for information has now been considered and it is not possible to meet your requirements in full.

You wrote:

Could you please supply details of all crimes since 2000, which were originally recorded as murder, but later reclassified as either "no crime" or a different crime.

Where possible, please provide details of:

1. The year of the incident
2. The sex of the deceased
3. A brief description of the crime/incident
4. What the murder was later reclassified as
5. Why the crime was reclassified
6. The name of the deceased
7. The age of the deceased

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Response:

Reported Year	Offence Description	Gender	Occ Description	Occ Summary
2006	Section 18 - grievous bodily harm with intent	M	Crime - Violence - person	Offender assaulted IP causing GBH injuries, IP has later died as a result of these injuries.
2008	Manslaughter	M	Crime - Violence - person	Known male offender has been arrested for murder after a body was found in his attic.
2009	Manslaughter	M	Crime - Violence Against the Person	2 males known to each other have had an altercation and the suspect has punched the IP to the chest. The male fell to the ground and subsequently died.
2009	Manslaughter	F	Crime - Violence Against the Person	Initially the deceased had phoned to report that the offender had cut himself by putting his hand through a window and that he stated "that he wanted to die". The offender then set light to some clothes that were on the storage heaters and set light to himself. Once the fire was under control a search of the premises was carried out and a body was found inside.

2015	Manslaughter	M	Crime - Violence Against the Person	Male deceased at location and found with ligature marks around his neck, a rope and a gas mask found at scene. Male arrested
2016	Manslaughter	M	Crime - Violence Against the Person	Unknown suspect/s have punched the IP to the face causing him to fall to the floor and hit head. IP currently in Westmead Hospital with a serious head injury.
2018	Attempt murder	M	Crime - Violence Against the Person	Known female suspect has admitted to killing her husband 20 years ago by shooting him with a shot gun.

Please note: Crimes are often superseded because they have been incorrectly recorded in the first place.

Section 38(1)(a) – Health and Safety

Overall Harm:

Part of the data that is exempt relates to deceased individuals. To release the data in full would cause unnecessary distress to the surviving family members who are already bereaved and in the grieving process.

Factors in Favour of Disclosure:

The public have a right to know how the taxpayers money is spent and it would increase public confidence to know that any unexplained or sudden deaths are investigated fully.

Factors against Disclosure:

By revealing information which could jeopardise the mental health of an individual, the public would lose confidence in the police service and their ability to protect the wellbeing of an individual.

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Balance Test:

The police service has a duty of care to the community they serve. To release the information in full would cause unnecessary harm to some members of that community and so for these issues, it is our opinion that the balancing test for disclosure, in full, is not made out.

Section 17 of the Freedom of Information Act 2000 requires Wiltshire Police, 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. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemption applied:

Section 38(1)(a) – Health and Safety

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.



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

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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/>