

WILTSHIRE POLICE



Via email



Police Headquarters

London Road
DEVIZES
Wiltshire
SN10 2DN

disclosure@wiltshire.police.uk

Date 21/11/2023

Our ref **FOI 2023/1057**

Reply contact name is:

Dear,

I write in connection with your request for information, dated 02/11/2023, concerning domestic violence cases referred to CPS for a charging decision.

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 the domestic abuse and the violence against women and girls teams of Wiltshire Police.

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

You wrote:

As at 2 November 2023, how many domestic violence related cases have been referred to the CPS by Wiltshire Police for a charging decision and are still pending.

Response:

As there is no timeframe stipulated, Wiltshire police are unable to provide a snapshot of the landscape on any given day as there is not a system in place for this level of detail, however we can provide the following information:

Between October 2022 and September 2023 we have submitted 768 DA cases to CPS for charging decisions. We are unable to get data for November as this would not be recorded as yet (it will show in data for December).

For context, the Police will refer to CPS for:

- Early advice on a charging decision

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- Full Code Test (when all outstanding reasonable lines of inquiry have been pursued; or prior to the investigation being completed, if the prosecutor is satisfied that any further evidence or material is unlikely to affect the application of the Full Code Test, whether in favour of or against a prosecution.
- Threshold Test – The seriousness or circumstances of the case must justify the making of an immediate charging decision

It may be that the CPS are the best agency to respond in relation to lead times, as this is not something that the police can comment on.

Under section 16 of the Freedom of Information Act 2000, I would recommend refining the request by offering a time frame, perhaps for financial years or calendar years.

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:

No information held.

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/>