

**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: 23rd November 2023

Your ref: FOI

Our ref: FOI 2023 / 1089

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 10th November 2023 concerning Evidence for Dangerous Driving Offences.

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:

1 Does your police force actively target social media platforms to gather evidence of dangerous driving, with a view to bringing charges against dangerous drivers?

2 Does your police force have a website whereby the public can upload video footage of dangerous driving, including from dashcams, helmet cams, mobile phones and social media content (eg via an 'Operation Snap' type scheme)?

Please provide the following data for EACH of the last five financial years (defined 6 April to 5 April, so from and including 2018/19 to 2022/23):

3 How many driving offences were recorded by your police force in each of the last five financial years whereby the evidence used to charge offenders was gathered solely from video footage on social media or online posts (please include offences spotted by your officers seeing such posts on social media platforms and offences reported by the public supplying video footage to your police force voluntarily)?

4 How many driving offences were recorded by your police force in each of the last five financial years whereby the evidence used to charge offenders was gathered solely from the public supplying video footage to your police force voluntarily?



INVESTOR IN PEOPLE

Our response:

The information that you are requesting for Questions 3 and 4 of your request is not stored in a way which permits easy retrieval.

Whilst our crime recording systems are sophisticated and we have a number of designated fields in which we record specific information related to a crime (which can then theoretically be searched upon), we do not have dedicated fields in which we record whether video evidence played a part in the investigation, let alone the source of that video evidence – whether it was submitted to the Force or obtained by other means.

The ascertaining of this information would only be possible by physically locating and reading the documentation relating to all the traffic offences recorded in the time period you require to ascertain whether it met your criteria or not (and record the details accordingly).

I have been advised by our Justice Traffic Supervisor 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.

Although excess cost removes the forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I am able to provide you are the answers documented below :-

Question 1

The police routinely gather intelligence from the internet but not specifically dangerous driving, unless a current investigation requires it, where offences are identified including dangerous driving, then investigations could lead to formal charges.

Question 2

Wiltshire Police do not currently have a facility whereby members of the public can personally upload video evidence they possess for the purposes of potential investigations, although this is a facility that is being considered.

That said, not only do all Forces make regular appeals on Social Media Platforms for evidence that may be available on dashcams / CCTV / helmet cams and so on which could assist specific investigations, any evidence held by MOP's will be considered if it is brought to our attention and/or submitted via other methods such as E mail or memory stick, etc.

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of questions 3 and 4 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