

**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: 15th January 2023

Your ref: FOI

Our ref: FOI 2024 / 065

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 13th January 2023 concerning Thefts from Museums and Art Galleries.

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:

I am interested in data on the number of thefts from public museums and art galleries and would be grateful if you could provide the below info under Freedom of Information. If there is not a specific police code, please could you use a free text search instead.

Number of thefts from public museums in 2022 and 2023

Please provide list of item(s) stolen and value if know

Number of thefts from public art galleries in 2022 and 2023

Please provide list of item(s) stolen and value if know

Our response:

The information that you are requesting for the majority of your request is not stored in a way which permits easy retrieval.



INVESTOR IN PEOPLE

Whilst our crime recording system(s) are fairly sophisticated and we have a number of designated fields in which we record specific information about a crime (such as the name of parties involved, the address of the crime, etc) which we can then theoretically run searches against to identify particular information, we do not have fields in which we specifically record the following :-

- a) Items stolen in a theft or robbery
- b) The value of the items stolen in a theft or robbery

If known (and if it has even been recorded), it would only be held within the OEL (occurrence enquiry log) of a given recorded offence.

Moreover, whilst we do have a field in which we can record the "Business or Building Type" where an offence occurred (eg Museum or Art Gallery), it should be noted that this field is not a mandatory one and its use is only at the discretion of the individual inputting information about a crime or incident. Experience has demonstrated that the content of this field cannot be relied upon to produce accurate results – we would never knowingly publish results in the public domain (which this FOI response would be) that we knew to be incorrect, so we cannot utilise it to locate information with any degree of confidence in the results obtained.

Please Note

In your request you asked for the use of a free-text (or wildcard) search to locate information. In this instance it is not practical to undertake such a search.

The only field on our system(s) in which it would be practical to undertake such a search would be on the crime address, however not all Museums and Galleries in Wiltshire have the words "Museum" or "Gallery" in their business address. As an example any crimes reported at Messums Wiltshire, Indigo Antiques, Fisherton Mill, Drawing Projects UK, Lacock Abbey, Yelde Hall and so on would be excluded from any free-text searches undertaken for either Museum or Gallery as those words do not necessarily feature in their address / business name.

As previously mentioned, we would never publish information into the public domain if we knew that data to be knowingly incorrect.

Offences of the nature you describe would be potentially recorded under any of the following crime recording codes :-

- Robbery – Business
- All Other Theft Offences
- Miscellaneous Crimes Against Society

The ascertaining of the information you require would only be possible by physically reading every crime recorded under the above 3 crime categories for the two year period, to initially determine whether the offence actually happened at either a Museum or Gallery and then to make a note of the specific information you require or actually create a new record of information (in the case of items stolen and their value, IF this is even recorded on our systems).

For the time period you require (2022 and 2023), Wiltshire Police have recorded in excess of 8,000 individual crimes under the above 3 crime categories - and even allowing a very conservative 3 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.

It should also be noted, that there is no obligation on an Authority to create information – where none currently exists – simply in order to answer an FOI request.

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