

WILTSHIRE POLICE



XXXXX – Via email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 12th February 2024

Our Ref FOI 2024-156

Dear XXXX,

I write in connection with your request for information dated 8th February 2024, concerning coercive control and stalking cases.

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, research was conducted by the business intelligence department at Wiltshire Police. Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

- 1) Can you please provide me with the total number of coercive control cases AND stalking cases that your police force has dealt with in 2023? Please display the total case numbers for coercive control and stalking separately.
- 2) Can you also please provide me with the number of cases in 2023 that were dealt with by your police force where GPS tracking was used as a form of coercive control? This could include social media trackers, technology-based trackers, AirTags, trackers on apps etc.
- 3) Can you also please provide me with the number of cases in 2023 that were dealt with by your police force where GPS tracking was used as a form of stalking? This could include social media trackers, AirTags, technology-based trackers, trackers on apps etc.

Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

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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.

The information that you are requesting for the majority of your request (namely question 3) is not stored in a way which permits easy retrieval, as there is no specific flag or marker on our system(s) that would allow us to accurately retrieve reports where GPS tracking in particular has allegedly been used. Whilst we are able to search on the local qualifier: "Cyber dependent / enabled / facilitated" alongside the offence descriptions associated with coercive control and stalking - in order to determine whether this local qualifier that has been applied to the relevant reports relate specifically to the use of GPS tracking, we would need to scan through all of the stalking and coercive control related reports made for the time frame requested where this local qualifier has been applied, of which there are approximately 40 reports to read through for Q2 and approximately 200+ reports to read through for Q3. Also, please note, that the application of the above local qualifier is subject to human error – so, there could well be reports of such nature that include mention of GPS tracking, but unfortunately the local qualifier may not have been applied. As a result, the ascertaining of this information would undoubtedly take us well over the allocated time frame we have to complete your request within and is therefore, exempt from disclosure.

Under the circumstances 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. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Please note:

If one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Forces may use different recording systems, therefore it may be possible some Forces can provide this information where others cannot.

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, and in order to do so, I would suggest that you submit questions 1 & 2 to us separately, as we should be able to action these for you within the given time/cost limits. However, if you are able to shorten the time frame requested, this would also assist us greatly.

Section 17 of the Freedom of Information Act 2000 requires 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.

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Please contact me if you would like to discuss the withheld information.

Yours sincerely,

Force Disclosure Decision Maker