

**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: 8th February 2024

Your ref: FOI

Our ref: FOI 2024 / 151

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 2024 concerning Novel Synthetic Opioids.

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:

Under the Freedom of Information Act, I would like to request the following information:

1. Does the force test for novel synthetic opioids? If yes, please list which.

By novel synthetic opioids, I mean opioids such as nitazenes and fentanyl, but not synthetic opioids such as e.g. tramadol or methadone.

In the years to March, 2019; 2020; 2021; 2022; 2023; and so far in 2024:

2. (a) How many seizures of nitazenes or substances containing nitazenes (if possible, please specify which nitazene, e.g. Etonitazene) did the police force make?

(i) If possible - please specify the 'main' substance seized (e.g. heroin adulterated with Etonitazene)

(ii) If possible - please specify the quantity seized in each incident.

(iii) If possible - please specify where these seizures took place.

In the years to March, 2019; 2020; 2021; 2022; 2023; and so far in 2024:

3. (a) How many seizures of other novel synthetic opioids, or substances containing other novel synthetic opioids (if possible, please specify which type, e.g. Carfentanil) did the force make?



INVESTOR IN PEOPLE

- (i) If possible - please specify the 'main' substance seized and what form it was in (e.g. heroin adulterated with Carfentanil, or fake Oxydone pill adulterated with Carfentanil)
- (ii) If possible - please specify the quantity seized in each incident.
- (iii) If possible - please specify where these seizures took place.

If it is not possible to respond to questions (i-iii) within cost limits, please let me know, and respond to the first part (a) of the questions alone.

Our response:

The information that you are requesting for the majority of your request (namely questions 2 and 3) is not stored in a way which permits easy retrieval.

Wiltshire Police record crime in accordance with the current Home Office crime classification codes. There are currently no HO crime codes in existence specifically related to the Possession or Trafficking of Opioids (synthetic or otherwise).

Moreover, whilst our crime recording systems are fairly sophisticated and we have a number of designated fields in which we record certain specific information about a crime or incident (such as location, gender of offender, age of victim etc) which we can theoretically run detailed searches against, we do not have separate dedicated fields in which we record the following specific information :-

- The drug names or types involved in a crime
- Whether a drug is synthetic or otherwise
- Whether a seizure has occurred or not
- If so, what has been seized
- Or how much has been seized and its value

If known and recorded, this information would only be contained within the full written OEL (Occurrence Enquiry Log) of an offence or within accompanying paperwork related to it such as in statements, records of interview, item seizure lists and so on. Indeed in some cases it may well be that this information may not even have been recorded at all.

Whilst any drugs that are seized are placed in our Evidential Property stores, the only seizures where any details are physically logged formally are in those instances where the investigation is actively pursued or the suspect actually admits the offence. In other instances, no details are normally logged.

It also needs to be noted that not all drugs seizures, the full chemical breakdown is not always known at the time or unless it is sent for laboratory testing and this doesn't always necessarily happen due to a number of factors such as the amount seized, the cost and if the offence is pursued or admitted or not.

Either way, the only way in which it would be possible to obtain the information you require would entail reviewing the occurrence log and any accompanying other documents in every drug-related crime file to see whether it firstly met your criteria and secondly making a new record of the information.

Given that for the time period you require, Wiltshire Police have recorded c8,000 crimes related to either the Possession or Trafficking of Drugs, 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.

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.

Please note

- If one part of a request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.
- If no information currently exists, there is no obligation under the FOIA for an Authority to create it simply to answer an FOI request.
- Normally under our Section 16 obligation to be as helpful as possible to an applicant, we would provide the clarification you require for Q1, however I do need to advise that in this instance we would not be able to provide that information due to it being exempt under the following two exemptions

Section 30 Investigations and proceedings undertaken by public Authorities
Section 31 Law Enforcement

as the disclosure of this information could compromise our ability to police crime and also potentially reveal any operational capabilities or limitations of Wiltshire Police.
Normally with Section 30 / 31 exemptions it would be necessary to explain to the applicant the Harm related to the disclosure and undertake a detailed Public Interest Test, however as the remainder of the request is exempt under time-cost (as explained above) I do not intend to do that formally in this response letter.

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