

**Police Headquarters**

London Road
DEVIZES
Wiltshire
SN10 2DN

Date: April 5, 2024

Your ref:

Our ref: FOI 2024/202

Reply contact name is:

Dear,

I write in connection with your request for information dated 17th February 2024 concerning corruption.

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:

On page 145 of 'An inspection of vetting, misconduct, and misogyny in the police service' published by HMICFRS it states:

"The Counter-Corruption (Intelligence) APP lists 12 categories of corruption-related intelligence. It is good practice for forces to use these categories when recording intelligence. All forces should do this consistently to help them understand the threats they face."

The categories are listed on page 146:

- infiltration;
- disclosure of information;
- perverting the course of justice;
- sexual misconduct;
- controlled drug use and supply;
- theft and fraud;
- misusing force systems;
- abuse of authority;
- inappropriate association;
- vulnerability;
- commit, incite, aid, and abet, or assist an offender in the commission of, a crime;

Keeping Wiltshire Safe

and

- other [corruption-related intelligence not categorised elsewhere]."

1. For the year 2022/23, please provide the figures recorded in each of the 12 categories.
2. If you do not use these categories, please provide details of the categories you use and related figures for 2022/23.

You got the PIT wrong by failing to fairly assess the public interests involved, and your NCND response is based on bogus grounds. You have asserted that disclosure would make the corruption even worse without providing any supporting evidence. You have singularly failed to demonstrate that some causal relationship exists between the prejudices being claimed and the potential disclosure.

Consider, for example, an officer engaging in or inclined to engage in sexual misconduct (category 4). You seem to suggest that with sight of the figures, this officer would be motivated to boost their wrongdoing by taking precautions to avoid detection or changing the nature of their wrongdoing. If, say, the figures revealed that a lot of allegations related to sexual misconduct but not so many related to drugs (category 5), this officer, in your view, would see drug crime as a safer option than sex crime and act accordingly. You also suggest that a potential blackmailer who saw similar figures would be inclined to put more effort into honey traps than drug snares. Your objections to disclosure do not stand up to scrutiny.

Your arguments also ignore information already in the public domain. The College of Policing publishes statistical information on the reasons for police dismissals, albeit at a national level (Table 5):

The categories total 32 and include categories similar to the 12 that are the subject of my information request. For example, "Sexual offences or misconduct", "Abuse for a sexual purpose", "Perverting or attempt to pervert the course of justice", "Drugs", "Fraudulent behaviour" and "Unlawful access or disclosure of information". Interestingly, Table 5 reveals only one dismissal recorded under in the category "Corruption" for all police forces in England and Wales.

Why would disclosure of the figures at the force level have a harmful impact that disclosure at the national level does not?

Your arguments also fail to appreciate the Government's commitment to root out corrupt officers as evidenced by, for example, Chris Philp's parliamentary statement regarding the establishment of procedures to send information about suspect officers and staff "directly, at pace, to the force concerned":

and;

The recent national rollout of the Anti-Corruption & Abuse Reporting Service:

The public interest in disclosing the number and nature of allegations of police corruption at the force level is overwhelming. The IOPC's annual Public Perceptions Tracker summary report (May 2023) notes on page 3:

"News stories about police failings, misconduct and criminality coupled with the damning Casey Review have triggered confidence in the police to deal fairly with complaints to fall to its lowest point since testing began (32%) in 2017."

Keeping Wiltshire Safe

On page 6, it includes a selection of newspaper images and headlines such as: "ROTTEN TO THE CORE", "ARMED COP HELD ON SARAH MURDER" (Wayne Couzens), "COPS LET OFF HOOK" 'Met cop admits to brutal campaign of rape and terror' (David Carrick), and "Clamour for inquiry into officers who allowed rapist to stay in Met".

Withholding the information will only add to public mistrust of the police and fuel public suspicion that you have something to hide.

Response:

On reviewing your original Freedom of Information request, the response provided to you and your request for an Internal Review, I can respond as follows. Although it was not mentioned in your previous response letter (which it should have been), after liaising with the original Decision Maker I can confirm that the exemption previously used was:

Section 31(1)(a)(b) – Law Enforcement

I can also confirm that I uphold the original response provided to you.

Overall Harm

Disclosures made under the Freedom of Information Act are published by Wiltshire Police, placing them into the public domain. Should the force release a breakdown of the corruption related intelligence recorded in the financial year 2022/2023, this would make available to those that are either corrupt, would seek to corrupt police employees or engage in criminal or inappropriate / unethical conduct, with details of Wiltshire Police's intelligence picture in this area. This information would assist persons that seek to commit criminal offences or engage in inappropriate / unethical conduct to do so. This would hinder the ability of the police to prevent and / or detect crime or apprehend or prosecute offenders, contrary to the public interest.

It should also be noted that disclosures under the Freedom of Information Act can appear innocuous but when pieced together with other disclosures under the Legislation, published material and / or information gleaned about police counter-corruption work, it can be used in a mosaic way to create a picture for those wishing to commit offences.

Public Interest Test

Considerations Favouring Disclosure

Wiltshire Police is a public authority and is ultimately accountable to the general public. When any request for information is made to the police, it is important that the force is transparent, where possible, in responding to that request for information. Disclosing a breakdown of corruption related intelligence recorded in the financial year 2022/2023 would reinforce our commitment to greater openness and transparency with the general public.

Wiltshire Police is granted extraordinary powers in preventing and detecting crime. There is a very clear public interest in providing as much information about the way in which the force ensures that its employees maintain the highest standards of professionalism and integrity. Release of the requested information would accordingly facilitate information public debate.

Keeping Wiltshire Safe

Considerations Favouring Non-Disclosure

Police intelligence is an essential tool that enables the police to prevent and detect crime and apprehend those responsible for committing offences. In this context of corruption related intelligence, this information is pivotal in identifying those who are corrupt, seek to corrupt police employees, or otherwise engage in criminal or inappropriate / unethical conduct.

Balance Test

When considering whether the release of information is in the public interest, I have to consider whether the public interest is in favour of releasing information into the public domain or whether there is sufficient reason to support interest in openness and transparency when any request is made for police information. Having considered your request, I accept that there is a public interest in openness and transparency when any request is made for police information. I also accept that there is a public interest in the release of information about the intelligence Wiltshire Police recorded in the area of corruption, given the extraordinary powers granted to police in society.

The public interest favouring release must be balanced against any associated risk and / or prejudice that would be caused by disclosure. Having carefully considered this, I have found that corruption related intelligence is an important tool available to police in identifying those that are corrupt, seek to corrupt police employees or otherwise engage in criminal or inappropriate / unethical conduct. The public provision of the detail of the intelligence, even in category form, would be likely to assist persons that seek to commit criminal offences or engage in inappropriate / unethical conduct to continue to do so. This would hinder the ability of the force to prevent and / or detect crime or apprehend offenders, contrary to the public interest.

Having carefully considered your Freedom of Information request, I have found that the public interest remains in ensuring that Wiltshire Police is able to withhold information that would hinder its ability to root out the corrupt, those that seek to corrupt police employees or otherwise engage in inappropriate / unethical conduct. The information requested is therefore refused for this reason.

Wiltshire Police can neither confirm nor deny that it holds any other information relevant to this Freedom of Information request, as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of Section 23(5) Information Supplied by, or concerning, certain Security Bodies.

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case. Confirming or denying the existence or whether any other information is held would contravene the constrictions laid out within Section 23 of the Freedom of Information Act 2000 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

No inference can be taken that any other information is or is not held.

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.

Keeping Wiltshire Safe

Exemptions applied:

Section 31 – Law Enforcement

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

Yours sincerely,

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



Keeping Wiltshire Safe

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 Fol 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:

Keeping Wiltshire Safe

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

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/>