

WILTSHIRE POLICE



XXXX - Via email

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

Date: 22nd February 2024

Our Ref FOI 2024-107

Dear XXXXX,

I write in connection with your request for information dated 29th January 2024, concerning stalking and Stalking Protection orders.

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 Domestic Abuse Support Team, Violence Against Women and Girls and Business Intelligence departments 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:

Please may I request the following information:

1. How many offences of stalking were recorded by your police force between: 1st April 2021 – 31st March 2022? And 1st April 2022 – 31st March 2023?
2. Of the offences recorded as one of the 3 stalking offences between 01/04/22 - 31/03/23, how many outcome 1A outcomes are recorded where the alternative offence recorded is either s2 harassment or s4 harassment (putting people in fear of violence)?
3. Of the offences recorded as one of the 3 stalking offences between 01/04/22 - 31/03/23, how many outcome 1A outcomes are recorded where the alternative offence recorded is malicious communications?
4. Of the offences recorded as section 4a stalking offences between 01/04/22 - 31/03/23, how many outcome 1A outcomes are recorded where the alternative offence recorded is section 2a stalking?
5. Of the offences recorded as one of the 3 stalking offences between 01/04/22 - 31/03/23, how many outcome 15B outcomes are recorded?

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6. How many dedicated specialist stalking officers (i.e. where the officer's time is wholly or solely reserved for the response, investigation, or management of stalking crimes) does your force currently have?
7. How many stalking Single Point of Contacts (SPOC) does your force have?
8. How many stalking SPO SPOCs does your force have?
9. In how many cases did your police force apply for one or more interim SPO between 01/04/22 - 31/03/23?
10. In how many cases did your police force apply for one or more full SPO between 01/04/22 - 31/03/23?
11. How many of those SPOs that your police force applied for between 01/04/22 - 31/03/23 ended up not being authorised by the superintendent and/or or not authorised by the police force legal services?
12. How many of those SPOs that your police force applied for between 01/04/22 - 31/03/23 ended up being refused at court?
13. How many of the SPOs you applied for between 01/04/22 - 31/03/23 had positive requirements?
14. How many breaches of SPO crimes were recorded between 01/04/22 - 31/03/23? How many resulted in a charge?

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:-

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 you are requesting, namely in regard to questions 11 and 13, is not stored in a way which permits for easy retrieval. As this information would be held on a document that is linked within each individual occurrence record, we would need to manually review every domestic occurrence such as assault, sexual offences, stalking, harassment etc. in order to determine whether or not an SPO was linked. If an SPO was linked, this would need to be reviewed and the relevant information extracted in order to provide a response to this request.

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:

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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 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved.

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 can provide you with is documented below:

Your question (and our response):

1. How many offences of stalking were recorded by your police force between: 1st April 2021 – 31st March 2022? And 1st April 2022 – 31st March 2023?

Offence Description/Reported Fiscal Year	2021-2022	2022-2023
Stalking involving fear of violence	49	54
Stalking involving serious alarm/distress	104	164
Stalking without fear/alarm/distress	337	32
Total	490	250

2. Of the offences recorded as one of the 3 stalking offences between 01/04/22 - 31/03/23, how many outcome 1A outcomes are recorded where the alternative offence recorded is either s2 harassment or s4 harassment (putting people in fear of violence)?

5 crimes

3. Of the offences recorded as one of the 3 stalking offences between 01/04/22 - 31/03/23, how many outcome 1A outcomes are recorded where the alternative offence recorded is malicious communications?

1 crime

4. Of the offences recorded as section 4a stalking offences between 01/04/22 - 31/03/23, how many outcome 1A outcomes are recorded where the alternative offence recorded is section 2a stalking?

1 crime

5. Of the offences recorded as one of the 3 stalking offences between 01/04/22 - 31/03/23, how many outcome 15B outcomes are recorded?

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0 crimes

6. How many dedicated specialist stalking officers (i.e. where the officer's time is wholly or solely reserved for the response, investigation, or management of stalking crimes) does your force currently have?

2 - 1 x VAWG Strategic Support Officer, 1 x Stalking Investigative Standards Officer

7. How many stalking Single Point of Contacts (SPOC) does your force have?

25 - The term 'SPOC' means different things to different forces. In November 2023 the force created a 'Stalking Cadre' of 25 officers and staff from relevant roles / departments across our force who volunteered to become a 'Stalking Influencer'. This programme is in its infancy and once fully developed seeks to provide colleagues with a peer support system where they can seek advice and guidance from those operational colleagues with an enhanced understanding of investigating stalking crimes and safeguarding victims.

8. How many stalking SPO SPOCs does your force have?

SPO is managed in Force by the OPCC legal team. Officers and staff are responsible for their own SPO applications, but the service is outsourced to a solicitor's firm who obtain the orders on the behalf of Wiltshire Police. Once established, Stalking Influencers (see 7) can offer tactical guidance on SPO, as well as the VAWG strategic Support Officer and the Stalking Investigative Standards Officer who provide support and guidance in this area.

9. In how many cases did your police force apply for one or more interim SPO between 01/04/22 - 31/03/23?

2

10. In how many cases did your police force apply for one or more full SPO between 01/04/22 - 31/03/23?

7

12. How many of those SPOs that your police force applied for between 01/04/22 - 31/03/23 ended up being refused at court?

0 refused however 3 applications were withdrawn or not proceeded with

14. How many breaches of SPO crimes were recorded between 01/04/22 - 31/03/23? How many resulted in a charge?

0

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.

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In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

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

Yours sincerely,

Force Disclosure Decision Maker