

WILTSHIRE POLICE



XXXX – Via Email



Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 27th March 2024

Our ref: FOI 2024-124

Reply contact name is:

Dear XXXX,

I write in connection with your request for information dated 29th January 2024 concerning synthetic opioids.

Please disregard my previous correspondence with regards to this request as I'm afraid the information provided was erroneous.

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 would be grateful if you would treat the following correspondence as a request for disclosure of the following information, under Freedom of Information law (Fol).

Description of information sought:

The number of incidents your force has recorded so far during the current financial year to date containing the following keywords as well as their alternate names provided in brackets: "Synthetic opioid"; "Nitazene"; "Fentanyl"; "Metonitazene"; "Protonitazene"; "Isotonitazene"; "Butonitazene"; "Flunitazene"; "Metodesnitazene" (metazene); "Etodesnitazene" (etazene); "N-Pyrrolidino-ettonitazene" (Etonitazepyne); "N-Piperidiny-ettonitazene" (Etonitazepipne); "N-Pyrrolidino Protonitazene"; "Ethyleneoxynitazene"; "N-Desethyl protonitazene"; "N-Desethylisotonitazene"; "N-Desethyl-ettonitazene" and "Borphone". Please supply any description held by your force for each incident and please break these data down by each month and by each keyword. In particular please ensure to search your force's records of drugs-related incidents, including any alleged offences/reports which may be covered by the Misuse of Drugs Act 1971, the Psychoactive Substances Act 2016 and The Customs and Excise Management Act 1979.

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Our response:

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.

Wiltshire Police can neither confirm nor deny that it holds any information as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

- s23(5) Information Supplied by, or concerning, certain Security Bodies
- s30(3) Investigations and Proceedings Conducted by Public Authorities
- s31(3) Law Enforcement

Section 23(5) is an absolute exemption and as such no public interest test is required. Section s31(3) is a qualified, class-based exemption and as such there is a requirement to evidence harm and complete a test of the public interest in confirmation or denial. s30(3) is a qualified, class-based exemption and as such there is no requirement to evidence harm however a test of public interest is required.

Evidence of Harm

The confirmation or denial that information is held relating to synthetic opioids such would identify whether or not Wiltshire Police has seen local level activity regarding its use and by association, it's distribution.

The effects of synthetic opioids as recreational drugs are highly publicised, and they are all extremely potent and very dangerous drugs. To confirm or deny that Wiltshire Police has had seizures of any of these drugs would reveal information which could be used to build a picture as to where national and local investigations and operations are taking place in relation to distribution of these drugs.

To confirm or deny that information is held would enable a mosaic picture to be realised as to which areas are affected and which areas are not. This will help those distributing the drug to identify vulnerable areas. Furthermore, if distribution is taking place in areas where a force confirms it has not made any seizures of these drugs, would suggest that the police is not aware of any local dealings. Those supplying synthetic opioids, will therefore be able to deduce that they are not known to the local police force.

The distribution of drugs is not usually completed in isolation and more often than not, forms part of a wider organised crime network, which usually involve other serious crimes. Confirming or denying that information is held by Wiltshire Police would undermine any local level operations or national operations which may be taking place to target the serious organised distribution and use of synthetic opioids.

Factors favouring confirming or denying that information is held S30

To confirm or deny that information is held would enable the local community to understand whether any investigations have or are taking place surrounding this particular drug. This would lead to an increase in understanding. It would also enable the public to understand whether resources are being allocated to combating the distribution of the drug locally.

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Factors against confirming or denying that information is held S30

To confirm or deny that information is held would identify which force areas have located synthetic opioids and those which have not. Synthetic opioids are highly potent drugs and being able to map where they can be found, and by extension distributed across the country would undermine the police services ability to appropriately investigate crimes associated with its use and distribution. The confirmation or denial that information is held would undermine local and national level operations which may be taking place and would mean that those distributing the drug will avoid prosecution which would have a negative impact on local communities.

Factors favouring confirming or denying that information is held S31

The confirmation or denial that information is held would lead to a greater informed public both nationally and locally. Dependant on whether information is held, would identify whether there is a local/ national issue with synthetic opioids and how extensive that may or may not be. People can take steps to safeguard themselves from exposure to this drug, if they know that it has been located locally.

Factors against confirming or denying that information is held S31

To confirm or deny that information is held, would undermine any local or national level operations that may be or will be taking place in the future to combat this crime. Synthetic opioids are highly potent drugs, and it is of paramount importance that the police service can investigate and disrupt the distribution of it throughout the country so that its severe impacts are not felt within our communities. To confirm or deny whether Wiltshire Police has seized synthetic opioids would not only affect local level policing decisions but could also have an impact nationally. This would mean that information is provided to those involved in its distribution and ultimately could mean that organised crime groups may adapt and change tact that would mean that the police service is placed at a disadvantage.

Balance Test

Although there is a public interest in knowing whether Wiltshire Police has seized synthetic opioids as communities will be more aware and take steps to protect themselves. However, Wiltshire Police would not want to undermine any local or national operations which may be taking place to combat the distribution of this drug. To confirm or deny that this information is held locally would not only provide local information that would undermine any local operations if ongoing but also any national ones which may take place. The information would directly relate to intelligence and being able to map this across the country would be of use to criminal groups distributing this drug as it would give a picture as to which forces are aware whether it has synthetic opioids being distributed in its area.

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

Yours sincerely

Force Disclosure Decision Maker

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