

**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 E Mail

Date: 1st March 2024

Your ref: FOI

Our ref: FOI 2024 / 138

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 1st February 2024 concerning Drink and Drug Driving.

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 – having consulted our Traffic Management Team - I am not able to respond to you in full.

You wrote (and Our Response) :

1. How many traffic stops were made each year from 2015 to 2023 on suspicion of drunk or drugged driving?

No Information Held

There is no obligation on an Authority to provide any rationale when supplying a No Information Held response, however, under our Section 16 duty to be as helpful as possible to an applicant I am happy to do so in this case as it will provide you with some clarification to your request.

We do not physically make a record on our system(s) of every Traffic Stop that has been made, whether on suspicion of Drink or Drug Driving or any other reason. Officers may enforce a traffic stop - for instance for suspected defective tyres, suspected drink driving and so on - but unless a test of some kind has physically been undertaken by the officers dealing, then no record will be made of the stop on our system(s).



INVESTOR IN PEOPLE

2. How many roadside drug driving tests your officers performed each year from 2015 to present

2015	38
2016	204
2017	242
2018	371
2019	601
2020	1,041
2021	651
2022	692
2023	859

3. How many of those tests (per year) were positive

2015	14
2016	74
2017	121
2018	155
2019	320
2020	578
2021	271
2022	322
2023	382

4. How many of those tests (per year) led to a prosecution

Wiltshire Police does not hold prosecution data – under our Section 16 duty to be as helpful as possible to an applicant we would recommend that you submit another FOI request direct to CPS for this information.

5. How many roadside breathalyser tests have your officers performed each year from 2015 to present

2015	5,920
2016	7,420
2017	7,596
2018	6,315
2019	2,056
2020	1,897
2021	3,573
2022	3,413
2023	4,161

6. How many of those tests (per year) were positive

2015	599
2016	814
2017	851

2018	1,018
2019	455
2020	488
2021	915
2022	641
2023	661

7. How many of those tests (per year) led to a prosecution

Wiltshire Police does not hold prosecution data – under our Section 16 duty to be as helpful as possible to an applicant we would recommend that you submit another FOI request direct to CPS for this information.

Please Note

With regards to questions 2,3,5 and 6 we are unable to provide any information for 2024 as we are still processing a significant backlog of traffic offence documentation.

8. How many dedicated traffic officers does your police force employ now, and how many did it employ in 2015 and 2010.

An answer to this question is exempt under Section 31 of the FOIA (Law Enforcement).

Section 31 is a qualified and prejudice-based exemption and therefore requires Wiltshire Police to establish the harm in disclosure, along with any public interest arguments for and against disclosure. Please see the harm and public interest tests below.

Section 31 Harm and Public Interest Test

Overall harm

Disclosing details of the number of dedicated Officers working in our Traffic Team could have an adverse effect on the ability of the Force to effectively prevent and detect crime and also protect the vulnerable.

Factors favouring disclosure

Disclosing this information would ensure Wiltshire Police are being open and transparent with the public. This would also ensure that the Force can be held accountable for its actions. Disclosure would also provide the public with an insight into the financial resources of the Force, as we are publicly funded, and how this is being utilised.

Factors against disclosure

If this information were to be disclosed to the public, investigations would be compromised thus hindering the Force's ability to prevent and detect crime and also protect the vulnerable in society. Disclosure of any information relating to the number of specific Officers working in the Traffic Team at Wiltshire Police would allow offenders to gain valuable information about the Force's tactical capabilities. Knowing the number of dedicated Officers in this Team would assist them in evading capture, putting the greater public at risk and would result in trust in the Force being lost, and an increase of crime being seen.

Balancing test

The Force is charged with enforcing the law, preventing and detecting crime and also protecting the vulnerable in society. Whilst there is a strong public interest in transparency between Wiltshire Police and how we engage with the threat from criminals and also how we try to keep people safe, there is a stronger public interest in safeguarding the public and protecting the Force's ability to effectively prevent and detect crime. Disclosing information which is likely to assist offenders or put vulnerable people at risk would seriously threaten the effective delivery of operational law enforcement and public protection.

The arguments for and against disclosure of this information are both strong, but the stronger of the two lies in favour of non-disclosure. This information is therefore exempt under Section 31 – Law Enforcement.

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 31: Law Enforcement

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