

**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: 11th March 2024

Your ref: FOI

Our ref: FOI 2024 / 222

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 22nd February 2024 concerning Fraud.

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:

Covering 1 January 2023 to 31 December 2023, I would like to obtain:

- How many members of staff are dedicated to investigating fraud? Please breakdown by type of staff (for example police officers, police staff, police specials)
 - Where relevant, of these how many have received dedicated fraud training?
- The total number of referrals disseminated to your police force by Action Fraud or the National Fraud Intelligence Bureau; and of which how many:
 - Were allocated for investigation.
 - Were filed without further investigation.
 - Resulted in a charge.
- For each of the categories above (total number of referrals, were allocated for investigation, filed without further investigation, and resulted in a charge) please specify the number of such referrals where one of the major mobile operators (O2, EE, Three or Vodafone) was referenced.
- How many fraud cases did you take to the CPS for prosecution?



INVESTOR IN PEOPLE

Our response:

Part of the information that you are requesting is not stored in a way which permits easy retrieval, the remainder is not held actually held by Wiltshire Police.

Cases of Fraud can be reported in a number of different ways such as (but not necessarily restricted to) the following :-

- Offences being reported to Wiltshire Police - which we then refer on to Action Fraud to investigate
- Direct reporting to Action Fraud by victims and/or members of the public
- Investigations by Wiltshire Police into other crimes where these types of offences may have occurred - which we then refer the potential Fraud element of the offence directly to Action Fraud to log and investigate
- Referral by other partnership agencies (eg Social Workers etc) where suspected Fraud may have been identified – which are then referred directly to Action Fraud
- Referral / whistleblowing directly by members of the public or other parties either directly to Action Fraud or directly to us – which again are referred on to Action Fraud to investigate

There are also occasions when a report made to Action Fraud is then referred to the local Force to investigate (ie us), but this is only a small proportion of all Fraud cases reported.

In any given calendar year, Wiltshire Police typically record c1,500 fraud-related occurrences on our systems where a Fraud offence may have been committed, however :-

- a) This does not comprise the total number of Fraud Offences committed in our area of policing jurisdiction (due to the issues explained above as to how offences of this nature are reported)
- b) Some of these offences may have also been referred to Action Fraud for investigation by them
- c) Some of these may be referrals we have received from Action Fraud themselves
- d) A vast amount of the detail you require is not held in searchable fields on our system(s).
- e) Wiltshire Police record crime in accordance with Home Office Crime Recording guidelines. There is no specific HO crime recording code currently in existence for Fraud or the separate types of Fraud.
- f) We do not have a flag on our system(s) to determine whether the potential Fraud has been reported directly to us or been referred to us by Action Fraud or the National Fraud Investigation Bureau

In order to ascertain the information you require, we would need to undertake a manual review of each and every one of those c1,500 records to determine if firstly it was a Fraud case, then to determine whether it met your criteria as having been referred to us from AF or NFIB, and then make a separate record of the information you require (if we even hold that information).

Even allowing a very conservative 5 minutes per record, 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 – and even then this will not provide an accurate picture of Fraud Crime in Wiltshire.

It should also be noted that there is no obligation on an Authority to create information (where none currently exists), purely to answer an FOI request.

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 am able to provide you are the answers documented below :-

Question 1

Wiltshire Police has a Complex Fraud Team dedicated to investigating Fraud.

This team is made up of the following :-

- 1 Detective Inspector
- 1 CFT Manager (civilian staff post)
- 7 Police Officer posts
- 1 PIP 2 Staff member.

The aspiration is that all Team members will receive Fraud Training, but currently only the Fraud Manager, two of the Police Officers and the PIP2 Investigator have formally undergone their Fraud Training.

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.

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