

**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: 25th April 2024

Your ref: FOI

Our ref: FOI 2024 / 440

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 12th April 2024 concerning Paper and Computer Records.

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 Records Retention Team - I am now able to respond as follows.

You wrote (and Our Response) :

Note - this is a follow-on request to your earlier one which we responded to under our reference 2024-330 on 2nd April 2024.

Q8. Your response to question six does not address the question if the victim contacted yourselves 10/20+ years after the burglary saying they have seen their medals in an auction, are you able to help the victim? Please clarify.

The Police & Crime Plan 2022-2025 (which is available on our website) sets out the four key priorities for Wiltshire Police to focus on, namely :

- **A police service that meets the needs of its communities**
- **Reduce violence and serious harm**
- **Tackle crimes that matter most to local communities**
- **Improve the experience of victims and deliver justice**

Wiltshire Police (and other Forces) treat all reports of crime seriously and - even if historic data has been deleted from our systems (eg in accordance with MOPI guidelines for



INVESTOR IN PEOPLE

instance) - will always do their best to support victims of crime and reinvestigate a given case as necessary should new evidence comes to light.

Please also refer to the answer already provided to you previously for Q6 of your request, under reference FOI 2024-330.

Q9. Can victims obtain a copy of their case documents, considering you destroy case documents after 6 years, could you shed some light on this?

Members of the public can access the information that an Authority hold on them by submitting a formal Right of Access request. This allows an individual access to any personal information an authority hold on them - subject to certain conditions - however this right does not extend to 3rd party information (information belonging to other people).

If information has been deleted from our system(s) – eg deleted in accordance with MOPI guidelines for instance – then clearly we would not be able to provide it to an applicant under the Rights of Access process.

Q10. Have you informed (group 3) victims their case documents and case number will not be live after 6 years meaning the Police Force will not be able to help in any assistance should the victim locate their treasured heirloom family medals as the Police no longer have any supporting documents of the case. Is what I said correct/Am I of the correct opinion?

There is no legal obligation on a Police Force to inform a member of the public that records will be deleted after a certain period of time and/or in accordance with MOPI guidelines – if there was, we would do so.

Wiltshire Police obtains, holds, uses and discloses personal information for three broad purposes

- The Policing Purpose – which includes the prevention and detection of crime; apprehension and prosecution of offenders; protecting life and property; preserving order; maintenance of law and order; rendering assistance to the public in accordance with force policies and procedures; and any duty or responsibility of the police arising from common or statute law.
- The provision of services to support the Policing Purpose
- Staff Administration

The legal basis for processing personal data is dependent on why we hold it.

Our Force website includes full details of the following

- A full list of processing activities, together with the legal basis for doing so
- Details of who we may legitimately share one's personal data with
- Details of personal data shared with third countries
- Details of how long we will retain personal data for (this is specifically in the Force Retention Schedule)
- Details of the categories of personal data we hold

As described in the answer to Q8, just because documents may have been deleted from our systems under MOPI guidelines this will not preclude any Police Force from re-investigating a crime should new evidence come to light at a later stage.

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 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:

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