

**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: 30th April 2024

Your ref: FOI

Our ref: FOI 2024 / 466

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 29th April 2024 concerning Racist Attacks in Convenience Stores.

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 am seeking data on number of racist attacks against convenience stores. I believe there is a strong public interest for this information to be published due to the safety risk posed to both businesses.

Please can you supply the following information:

1) The number of businesses who were victims of reported verbal and physical racist attacks for the periods of 1 January 2022 – 31 December 2022 and 1 January 2023 and 31 December 2023. I would like information restricted to the following types of businesses; convenience store, corner shop, grocery store, supermarket, newsagent, symbol group, tobacconist, off licence and independent retailer.

2) Whether the attack was physical or verbal.

3) The ethnicity of the victim.

Ideally, I would like these figures broken down month-on-month.

If this request is too wide or unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters. If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary.



INVESTOR IN PEOPLE

Our response:

The information that you are requesting for the majority of your request is not stored in a way which permits easy retrieval.

Whilst our crime recording system(s) are sophisticated and we have a number of designated fields in which we record specific information about a crime or incident – which can then theoretically be used to run searches for information on – we do not have specific field(s) in which we accurately record the types of shop establishment you mention as being the location of a crime or incident. This information is only held in the address field on the occurrence log and this will invariably not mention the business type, simply the name of the business premises (which in many instances may not be completely indicative of the actual use of the establishment or may feature a business name which is also not necessarily indicative).

The only way to ascertain the information you require would be for us to locate and review each and every individual recorded crime report recorded on our system(s) marked with a NICL Qualifier flag of “Prejudice – Racial”, initially to see whether or not it met your criteria (eg it occurred at a premises of your description) and secondly to make a new record of the specific information you are actually requesting.

During the time period you require (the calendar years of 2022 and 2023) Wiltshire Police have recorded c1,200 individual crimes that fall into the above crime category. Even allowing a very conservative 3 minutes per record to undertake this task, 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.

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