

WILTSHIRE POLICE



XXXXX – Via email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 17th July 2024

Our Ref FOI 2024-658

Dear XXXXX,

I write in connection with your request for information dated 12th July 2024, concerning arrests associated with climate or environmental activism.

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.

Following receipt of your request, research was conducted by the Team Performance department at Wiltshire Police. Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

Under the Freedom of Information Act, I would like to request the following information:

1. Number of arrests under the Public Order Act 2023 since May 2023, of individuals affiliated with the following groups: Extinction Rebellion, Ocean Rebellion, Coal Action Network, Right to Roam, Earth First, Youth Strike 4 Climate, Fridays 4 Future, Rising Tide, Friends of the Earth, Greenpeace, Campaign for Nuclear Disarmament (CND), Burning Pink, Tree Defenders, Fossil Free, Just Stop Oil, Insulate Britain, HS2 Rebellion (or anti-HS2 protestors), or any other arrests associated with climate or environmental activism. I would like this list to be broken down by principle offence, event/location of arrest, and outcome of the arrest.

2. Number of arrests of individuals affiliated with the following groups: Extinction Rebellion, Ocean Rebellion, Coal Action Network, Right to Roam, Earth First, Youth Strike 4 Climate, Rising Tide, Friends of the Earth, Greenpeace, Campaign for Nuclear Disarmament (CND), Burning Pink, Tree Defenders, Fossil Free, Just Stop Oil, Insulate Britain, HS2 Rebellion (or anti-HS2 protestors), or any other arrests associated with climate or environmental activism since October 2018. I would also like a breakdown by principle offence, event/location of arrest, and outcome of the arrest.

Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

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Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

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.

The information you are requesting is not stored in a way which permits for easy retrieval. There is no way of filtering whether or not an offender is affiliated with a particular group. Further to this, there is no searchable offence regarding climate or environmental activism as these may fall under various different types of offences, i.e. affray, criminal damage, ASB etc. In order to ascertain the information you have requested, we would be required to review every occurrence within the time frame that may contain information relevant to your request. This would require manually reviewing hundreds of thousands of individual occurrence logs.

Under the circumstances 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. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Please note:

If one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Forces may use different recording systems, therefore it may be possible some Forces can provide this information where others cannot.

Ordinarily under our Section 16 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved.

Section 17 of the Freedom of Information Act 2000 requires 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.

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

Yours sincerely,

Force Disclosure Decision Maker

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