

**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: 24th October 2024

Your ref: FOI

Our ref: FOI 2024 / 848

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 19th September 2024 concerning Uninsured Drivers and Vehicles.

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:

1. How many drivers were caught to be driving without an insured vehicle in your district from 1st January 2023 to 31st December 2023?
2. How many drivers were caught to be driving without an insured vehicle in your district from 1st January 2024 to 31st August 2024?
3. The number of road accidents/collisions caused by uninsured drivers in your district from 1st January 2023 to 31st December 2023?
4. The number of road accidents/collisions caused by uninsured drivers in your district from 1st January 2024 to 31st August 2024?

Our response:

The information that you are requesting for the majority of your request (namely questions 3 and 4) is not stored in a way which permits easy retrieval.



INVESTOR IN PEOPLE

Whilst our crime recording system(s) are fairly sophisticated and we have a number of designated fields in which we can record (and then run automated searches on), we do not have a field in which we can record the following :-

- Whether a vehicle involved in an accident had valid insurance

The ascertaining of this information would only be possible by physically locating and then reading each accident log for the time period you require and making a note of the details – in some cases this may not even be recorded.

Given the sheer number of accidents concerned for the time period you require, 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.

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 – Drivers caught driving an uninsured vehicle in 2023

The following table provides the number of offences recorded by month and those that have gone down the Court route (see notes below).

Year	COFPN's	Taken to Court
2023	620	1018

Question 2 – Drivers caught driving an uninsured vehicle in 2024 (to date)

Year	COFPN's	Taken to Court
2024 to date	330	521

Please Note

- No Insurance offences are dealt with via a Conditional Offer of a Fixed Penalty Notice (COFPN) for which the fine is £300.
- Due to how we record the numbers and statistics around these offences, some data may feature in both columns (notices issued and taken to Court) :-
 - COFPN's (for No Insurance offences) would only go to Court if the driver did not comply with the payment of the fine.

- Due to a “time-lag” in how offences are handled, the numbers reported above for offences taken to Court in a given month are most likely to refer to offences that actually occurred in prior calendar months, not the same month that they went to Court.
- The information provided in the table above for 2024 year to date is up to and including 31st August 2024. Our Justice Traffic Team are currently dealing with a backlog of cases of almost 2 months that still need to be added to our systems – some of which may also end up going down the Court route ultimately. The actual figures shown for ytd 2024 are therefore somewhat understated due to this backlog.

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of questions 2 and 3 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