

**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 October 2024

Your ref: FOI

Our ref: FOI 2024 / 933

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 22nd October 2024 concerning Wildlife Crime.

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, Currently how many recognised wildlife trained full time Police officers do you have in your force?

2, How many of these officers have undertaken College of Policing recognised training?

3, Who was the service provider.

4, How many of these officers are full time Wildlife crime officers.

5, How many wildlife incidents that have been reported to your force would fit the recording status below if they had notifiable status under Home Office counting rules?

Section 1 of the Protection of Badgers Act 1992

Section 2 of the Protection of Badgers Act 1992

Section 3 of the Protection of Badgers Act 1992

Section 1 of Wild Mammals Protection Act 1996

Section 1 of Wildlife and Countryside Act 1981

Section 5 of Wildlife and Countryside Act 1981

Section 9 of Wildlife and Countryside Act 1981

Section 11 of Wildlife and Countryside Act 1981



Section 30 of Game Act 1831
Section 5 of the Hunting Act 2004
Section 4 of Animal Welfare Act 2006
Section 8 of Animal Welfare Act 2006
Schedule 1 of Theft Act 1968
Section 27a of Salmon & Freshwater Fisheries Act 1975
Section 1 of Deer Act 1991
Section 2 of Deer Act 1991
Section 3 of Deer Act 1991
Section 1 of the Hunting Act 2004
Section 1 of the Night Poaching Act 1828
Section 18 of Wildlife and Countryside Act 1981
Section 9(4A) of the Wildlife and Countryside Act 1981
Section 14 of the Wildlife and Countryside Act 1981
Section 28P of the Wildlife & Countryside Act 1981
Regulation 43 Conservation of Habitats and Species Regs 2017
Regulation 54 Conservation of Habitats and Species Regulations 2017

6, How many wildlife incidents below have been recorded as below

Section 1 of the Protection of Badgers Act 1992
Section 2 of the Protection of Badgers Act 1992
Section 3 of the Protection of Badgers Act 1992
Section 1 of Wild Mammals Protection Act 1996
Section 1 of Wildlife and Countryside Act 1981
Section 5 of Wildlife and Countryside Act 1981
Section 9 of Wildlife and Countryside Act 1981
Section 11 of Wildlife and Countryside Act 1981
Section 30 of Game Act 1831
Section 5 of the Hunting Act 2004
Section 4 of Animal Welfare Act 2006
Section 8 of Animal Welfare Act 2006
Schedule 1 of Theft Act 1968
Section 27a of Salmon & Freshwater Fisheries Act 1975
Section 1 of Deer Act 1991
Section 2 of Deer Act 1991
Section 3 of Deer Act 1991
Section 1 of the Hunting Act 2004
Section 1 of the Night Poaching Act 1828
Section 18 of Wildlife and Countryside Act 1981
Section 9(4A) of the Wildlife and Countryside Act 1981
Section 14 of the Wildlife and Countryside Act 1981
Section 28P of the Wildlife & Countryside Act 1981
Regulation 43 Conservation of Habitats and Species Regs 2017
Regulation 54 Conservation of Habitats and Species Regulations 2017

7, How many wildlife incident/crime reports have your force received that have been recorded as "generic/other" (Not to include Livestock Attacks)

8, How many Livestock Attacks has your force received in the time range.

9, How many of these "generic/other" wildlife incident/crime incidents have resulted in No Further Action by police.

10, How many of these “generic/other” wildlife incident/crime incidents have resulted in a Local resolution.

11, How many of these “generic/other” wildlife incident/crime incidents have resulted in a Conditional Caution.

12. How many of these “generic/other” wildlife incident/crime incidents have resulted in a charge.

Our response:

The information that you are requesting for the majority of your request (namely questions 7 – 12 inclusive) is not stored in a way which permits easy retrieval.

Wiltshire Police record crimes and incidents in accordance with current Home Office crime recording rules and codings.

The majority of the Acts mentioned in questions 5/6 are not currently notifiable offences and – as such – any records of crimes and/or incidents related to them are not allocated to given Home Office crime recording categories. Instead, they are allocated to a general “bucket” of Non-Notifiable or Summary Offences which – for the last 6 years – includes c264,000 individual crimes and c761,000 individual incidents (some of which feature in both totals if officers have actually been despatched).

Whilst our crime and incident recording system(s) are fairly sophisticated and we have a number of dedicated fields in which we record certain specific details that relate to a crime or incident (eg address, victim ethnicity, suspect name and age and so on) which we can then theoretically run searches on, we do not have specific fields in which we record any of the following :-

- Whether an animal is involved or not (let alone the particular species of that animal)
- The given Act related to a particular crime or incident
- Whether it is Livestock-related (or not)
- Whether it is “Generic/Other” in nature as opposed to being Livestock-related

Whilst we can locate the details behind the notifiable offences recorded on our systems, for those that are non-notifiable (for questions 7-12) we would need locate and read each of the records in turn to see if it met your criteria as being involved in one of those Acts and then make a manual note of the information for each that you require.

Given that there are c170,000 individual records in that general “bucket” of non-notifiable or summary offences in any given calendar, 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.

Please also note that 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.

Please Note – Wildcard or Free-Text searches

Whilst it would theoretically be possible to run “wildcard” or free-text searches for specific key words such as “badger” or “deer”, we are only able to search the abbreviated summary description of a crime log (which is limited to a small number of characters) and not the whole occurrence log.

In reality, the animal involved is not always recorded in this abbreviated offence description – it is normally recorded within the longer crime log or in other documents such as statements etc.

It needs to be remembered that the use of “wildcard” or free-text searches are limited for a number of reasons such as – but not limited to – the following :-

- a) The specific key words being sought need to physically appear in the abbreviated crime summary field (eg if a badger was wilfully killed but this was not stated in this summary description, then it would be omitted from the results generated)
- b) Wildcard or free-text searches are reliant on the specific keyword being spelt grammatically correctly in that field (eg if the crime recorder mis-spelt deer as “deere”, again it would not feature in any results generated)
- c) There are other multiple variations or derivatives that may have been used when recording the crime or incident rather than the specific words searched for (such as Fallow, Sika, Water Deer, Muntjac and so on rather than simply using the description of “deer” for instance). Any results generated using the specific keywords required would only pick up those keywords and not the derivatives, although essentially they are crimes and incidents involving the same thing.
- d) The sheer number of potential keywords searched for – in this instance there are many 100's of different wild animals in the UK all of which could potentially be featured in a given crime or incident report.

As a consequence we would not ordinarily publish the results of wildcard searches in the public domain (as this response would be) if we were aware that the information being supplied was knowingly inaccurate - as inevitably it would be in this case.

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 do not have a dedicated Wildlife Crime Team per-se. Wildlife crime forms one of the 4 main business strands of our Rural Crime Team.

The Rural Crime Team cover the following :-

- Agricultural Crime
- Environmental Crime
- Heritage Crime
- Wildlife Crime

Within the Rural Crime Team there are currently 7 fully trained Wildlife Crime Officers, each with their own areas of expertise such as bats, badgers, birds of prey etc.

They are supplemented by a further additional c20 other Wildlife Officers among the various Neighbourhood Policing Teams around the County – these are made up of a mixture of PC's,

PCSO's and LCI's (Local Crime Investigators). These are not fully trained Wildlife Officers but act as a point of contact for advice on duty with regard to the allocation of crime, specific to Wildlife in their areas.

Question 2

All 7

Question 3

National Wildlife Crime Unit

Question 4

All 7

Question 5

As stated previously, we record crimes on our system(s) in accordance with current Home Office crime recording codes.

According to the current edition of the "Orange Book" which details the Home Office Codes in use for recording crimes, the only Acts from your list that are currently notifiable offences (for which there is a Home Office crime recording code) are as follows :-

Section 4 of Animal Welfare Act 2006	HO Code 99/xx
Section 8 of Animal Welfare Act 2006	HO Code 99/xx
Schedule 1 of Theft Act 1968	HO Codes 39-49
Section 27a of Salmon & Freshwater Fisheries Act 1975	HO Code 96/xx
Section 18 of Wildlife and Countryside Act 1981	HO Code 96/xx
Section 9(4A) of the Wildlife and Countryside Act 1981	HO Code 96/xx
Section 14 of the Wildlife and Countryside Act 1981	HO Code 96/xx
Section 28P of the Wildlife & Countryside Act 1981	HO Code 96/xx
Regulation 43 Conservation of Habitats and Species Regs 2017	HO Code 99/xx
Regulation 54 Conservation of Habitats and Species Regulations 2017	HO Code 99/xx

IF the whole list of different Acts you have provided **were all** notifiable offences, then they would be duly assigned to a given Home Office crime code and would then be recorded under that on our systems and would be easily searchable.

Question 6

The number of notifiable offences that have been recorded on our systems since 2018 are small in number but can be summarised as follows :-

Month / Year	OccSummary	Offence Description	HO Code	Crime Code	DetectionStatus
Dec-2018	The suspect was using a metal detector on a metal detectorist protected site contravening the Ancient Monuments and Archaeological Areas Act 1979.	Carrying out/causing to be carried out operation likely to damage area of special scientific interest	99/48	96	18: Investigation complete no suspect identified
Sep-2021	Known suspect has been using metal detectors and starting fires on Stonehenge. He has also stolen ancient artifacts from the site	TEW offences: Ancient Monuments & Archaeological Areas Act 1979	99/99	99	15: CPS - named suspect, victim supports but evidential difficulties
Jul-2022	Known male has jumped the fence to stonehenge multiple times, stating he wanted to heal himself in the stones. He has admitted to being on acid.	TEW offences: Ancient Monuments & Archaeological Areas Act 1979	99/99	99	Cancelled/transferred
Jul-2022	Call reporting 2 x metal detectorists that had later gone before the RP sighting the VRN, Officers later spotted the vehicle and identified the 2 suspects that were soon arrested, seized the vehicle for being involved in previous crimes and found within the vehicle metal detectors and shovels.	TEW offences: Ancient Monuments & Archaeological Areas Act 1979	99/99	99	1: Summoned/postal requisition
May-2023	3rd party report of illegal fishing on river by 3 unknown E.European males reported to the Senior Bayliff of the local angling club.	Contravening the law relating to the regulation and control of fishing for salmon, trout, freshwater fish and eels, the protection and conservation of fisheries for such fish, the times of fishing for the selling of such fish	98/91	96	18: Investigation complete no suspect identified
Jul-2023	Suspect has blocked badger set holes and chained up a wheelbarrow by the sett.	Causing, permitting or failing to prevent unnecessary suffering of protected animal	97/1	99	Cancelled/transferred
Aug-2023	R/P is reporting Night Hawking at Ludgershall Castle	TEW offences: Ancient Monuments & Archaeological Areas Act 1979	99/99	99	18: Investigation complete no suspect identified
Sep-2023	Known male has shot a swan, a protected species and displayed the photograph on his social media page.	Causing, permitting or failing to prevent unnecessary suffering of protected animal	97/1	99	Cancelled/transferred

Ordinarily under our section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of questions 7 – 12 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