

WILTSHIRE POLICE



XXXX – By email

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

Date 12th November 2024

Our Ref FOI 2024-891

Dear XXXX,

I write in connection with your request for information dated 9th October 2024, concerning driving offences.

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 Justice Traffic 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:

I am looking for information regarding driving offences per region, across the last four years.

I would like to receive the below information in excel format please:

- List of all driving offences committed that resulted in a fine, broken down per year 2021, 2022, 2023 and 2024 up to September 2024
- Amount of fines paid per driving offence, broken down per year 2021, 2022, 2023 and 2024 up to September 2024

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.

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.

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The information you are requesting is not stored in a way which permits for easy retrieval. Driving offences that have resulted in a fine, are held across two of our systems. Whilst we would be able to retrieve some of the data from PentiP, we would not be able to retrieve those that are investigated and either not progressed or sent to court as these are held on Niche, which does not have the ability to filter in this way. In order to retrieve the data from Niche, we would be required to manually interrogate and review the outcome of every driving offence held over the time period requested. To do this would take approximately 5 minutes per occurrence. For the time frame requested, there are thousands of results and therefore completing this task this would far exceed the time limits to provide a response.

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.

However, under Section 16 I am able to inform you that our Justic Traffic department have advised with regards to your second question, this would be better suited to HMCTS.

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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