



Force Disclosure Unit
Wiltshire Police HQ
London Road
Devizes
Wiltshire
SN10 2DN
Tel 101 ext 62005
www.wiltshire.police.uk
disclosure@wiltshire.pnn.police.uk

XXXXXX – by email

Date: 28th November 2024

Your ref: FOI

Our ref: FOI 2024 / 969

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 31st October 2024 concerning Stop and Searches.

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 a volunteer with StopWatch. StopWatch is a coalition of legal experts, academics, citizens and civil liberties campaigners, working together to promote effective, accountable and fair policing and to inform the public about the use of stop and search.

I submit this request for specific information regarding the stop and search data in Wiltshire Police area of responsibility. The information being sought relates to the datasets gathered by various public safety bodies in your area. This information is sought under the Freedom of Information Act 2000 (FOIA 2000). We are requesting the following data for the year 2023:

1. How many stop and search encounters took place in the area?
2. How many police officers were present at every encounter?
3. In addition to data for question 2, please provide data sorted by grounds, object and purpose of the search, legal power used, police outcome, action taken/sanction (if applicable), offence (if applicable), as well as the gender, age and ethnicity of the person stop and searched.

Please note that I am making this request based on the police obligation to keep records of this information in accord with the Police and Criminal Evidence Act (PACE) 1984 as specified in



INVESTOR IN PEOPLE

Code of Practice A, as well as the evidence in my research that several data collection softwares are currently in use by various public bodies. I am aware that you have provided information surrounding numbers of officers present during stop and search encounters to the APCC Race Disparity Working Group, and it is on this basis that I am confident the questions above should not violate the cost restrictions set out in s. 12 FOIA 2000 and the s.3 of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. In addition, as I am asking for data that should be readily available in data gathering software, I am confident that responding to this request should not place a burden on public resources. For the purpose of clarity, I would also like to confirm that the information being requested relates only to policies and datasets of a depersonalised nature.

Our response:

The information that you are requesting for Q2 of your request is not stored in a way which permits easy retrieval.

Whilst we can identify the various Stop and Searches that have been undertaken from our system(s), we do not record the number of officers that were present at any given Stop and Search instance (there is no legal requirement for us to do so).

The ascertaining of this information would only be possible by physically reading every Stop and Search record and making a record of the number of officers in attendance at each. Given the number of Stop and Searches undertaken in 2023, 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.

It should also be noted that there is no obligation on an Authority to create information – where none exists today – simply to answer an FOI request. Answering Q2 of your request would entail creating new records of information.

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

1,462 Stop and Searches were undertaken during 2023

Question 3

The breakdown of information you require (by each various category) for these 1,462 Stop and Searches is as shown in the following tables :-

Legal Power	Stops
Criminal Justice Act 1988 (s139B)	2
Criminal Justice and PO Act 1994 (s60)	12
Firearms Act 1968 (s47)	7
Misuse of Drugs Act 1971 (s23)	806
PACE 1984 (s1)	633
Wildlife and Countryside Act 1981 (s19)	2
Total	1462

Outcome	Stops
Alcohol seized	3
Arrest	196
Caution - conditional	3
Caution - simple	5
Community resolution	79
Drugs warning	4
No Further Action	1084
Police discretionary resolution	10
Postal requisition/postal charge/summons	4
Tobacco seized	1
Voluntary attendance	73
Total	1462

Self Defined Race	Stops
A1. Asian Indian inc Asian British	7
A2. Asian Pakistani inc Asian British	5
A9. Any other Asian background	14
B1. Black Caribbean inc Black British	10
B2. Black African inc Black British	13
B9. Any other Black background	30
M1. Mixed White & Black Caribbean	25
M2. Mixed White & Black African	4
M3. Mixed White & Asian	6
M9. Any other mixed	20
NS. Not stated / Not Provided	345
O2. Arab	2
O9. Any other	9
W1. White British	893
W2. White Irish	12
W3. White Gypsy or Irish Traveller	6
W9. Any other white background	61
Total	1462

Age	Female	Male	Not Recorded	Stops
11		2		2
12	5	11		16
13	7	41		48
14	8	60	1	69
15	7	109		116
16	18	123	1	142
17	27	95		122
18	12	77		89
19	12	77		89
20	10	42		52
21	5	41		46
22	4	29		33
23	5	31		36
24	3	29		32
25	3	20		23
26	5	24		29
27	8	29		37
28	4	32		36
29	3	25		28
30	3	20		23
31	3	23		26
32	11	21		32
33	12	21		33
34	8	19		27
35	3	12		15
36	2	18		20
37	3	14		17
38	2	10		12
39	8	11		19
40	1	17		18
41	1	11		12
42		11		11
43	2	11		13
44	3	16		19
45	1	11		12
46	1	11		12
47		11		11
48	3	5		8
49	1	7		8
50	3	4		7
51		3		3
52		7		7
53		2		2
54	1	1		2
55		1		1
56	1	5		6
57		3		3
58	1	2		3
59		2		2
62		1		1
63	2			2
64		3		3
65		1		1
66	1	1		2
67		1		1
69	1			1
70		1		1
71	2			2
73		1		1
74	1	1		2
76	1			1
Not Recorded		9	6	15
Total	228	1226	8	1462

Grounds	Stops
Anything to threaten harm	8
Anything to threaten or harm anyone	8
Anything to threaten or harm anyone,Articles for use in criminal damage	1
Anything to threaten or harm anyone,Articles for use in criminal damage,Public order	1
Anything to threaten or harm anyone,Bladed article	12
Anything to threaten or harm anyone,Bladed article,Offensive weapons	21
Anything to threaten or harm anyone,Bladed article,Prohibited articles	2
Anything to threaten or harm anyone,Drugs - other controlled drugs	1
Anything to threaten or harm anyone,Drugs - other controlled drugs,Offensive weapons	1
Anything to threaten or harm anyone,Evidence of offences under the act	1
Anything to threaten or harm anyone,Firearms,Offensive weapons	3
Anything to threaten or harm anyone,Firearms,Prohibited articles	1
Anything to threaten or harm anyone,Goods - duty not paid, etc.	1
Anything to threaten or harm anyone,Offensive weapons	12
Anything to threaten or harm anyone,Offensive weapons,Other	1
Anything to threaten or harm anyone,Offensive weapons,Prohibited articles	3
Anything to threaten or harm anyone,Other	1
Articles for use in criminal damage	16
Articles for use in criminal damage,Articles for use in theft	4
Articles for use in criminal damage,Articles for use in theft,Evidence of offences under the act	1
Articles for use in criminal damage,Articles for use in theft,Going equipped	5
Articles for use in criminal damage,Articles for use in theft,Stolen goods	1
Articles for use in criminal damage,Firearms,Offensive weapons	1
Articles for use in criminal damage,Fireworks	3
Articles for use in criminal damage,Going equipped	4
Articles for use in criminal damage,Going equipped,Sus crime/disorder/ASB	1
Articles for use in criminal damage,Other	1
Articles for use in criminal damage,Prohibited articles	1
Articles for use in criminal damage,Prohibited articles,Sus crime/disorder/ASB	1
Articles for use in theft	25
Articles for use in theft,Bladed article	1
Articles for use in theft,Bladed article,Offensive weapons	1
Articles for use in theft,Cash/recoverable property	1
Articles for use in theft,Cash/recoverable property,Stolen goods	1
Articles for use in theft,Drugs - other controlled drugs	1
Articles for use in theft,Drugs - other controlled drugs,Stolen goods	1
Articles for use in theft,Going equipped	9
Articles for use in theft,Going equipped,Stolen goods	9
Articles for use in theft,Prohibited articles	1
Articles for use in theft,Stolen goods	21
Bladed article	143
Bladed article,Crossbows	1
Bladed article,Drugs - other controlled drugs	5
Bladed article,Drugs - other controlled drugs,Offensive weapons	1
Bladed article,Evidence of offences under the act	2
Bladed article,Evidence of offences under the act,Stolen goods	1
Bladed article,Firearms	1
Bladed article,Going equipped	3
Bladed article,Going equipped,Offensive weapons	1
Bladed article,Offensive weapons	49
Bladed article,Offensive weapons,Prohibited articles	5
Bladed article,Offensive weapons,Stolen goods	2
Bladed article,Other	1
Bladed article,Prohibited articles	1
Bladed article,Stolen goods	4
Cash/recoverable property	5
Cash/recoverable property,Drugs - other controlled drugs	1
Cash/recoverable property,Drugs - other controlled drugs,Evidence of offences under the act	1
Cash/recoverable property,Evidence of offences under the act	1
Cash/recoverable property,Evidence of offences under the act,Stolen goods	2
Cash/recoverable property,Going equipped,Offensive weapons	1
Cash/recoverable property,Offensive weapons,Stolen goods	1
Cash/recoverable property,Stolen goods	2
Drugs - other controlled drugs	793
Drugs - other controlled drugs,Evidence of offences under the act	6
Drugs - other controlled drugs,Going equipped	1
Drugs - other controlled drugs,Going equipped,Stolen goods	2
Drugs - other controlled drugs,Offensive weapons	5
Drugs - other controlled drugs,Other	1
Drugs - other controlled drugs,Prohibited articles	2
Drugs - other controlled drugs,Psychoactive substances	3
Drugs - other controlled drugs,Psychoactive substances,Traffic related	1
Drugs - other controlled drugs,Traffic related	1
Evidence of offences under the act	7
Evidence of offences under the act,Going equipped	4
Evidence of offences under the act,Stolen goods	1
Evidence of wildlife offences,Game or poaching equipment	2
Firearms	9
Firearms,Offensive weapons,Prohibited articles	1
Fireworks	2
Game or poaching equipment,Intoxicating liquor,Offensive weapons	1
Going equipped	13
Going equipped,Offensive weapons	2
Going equipped,Offensive weapons,Stolen goods	3
Going equipped,Stolen goods	10
Goods - duty not paid, etc.	1
Goods - duty not paid, etc.,Intoxicating liquor	1
Intoxicating liquor,Stolen goods	1
Offensive weapons	56
Offensive weapons,Prohibited articles	1
Other	3
Prohibited articles	3
Prohibited articles,Stolen goods	3
Seizure of alcohol or tobacco	1
Seizure of alcohol or tobacco,Stolen goods	3
Stolen goods	93
Stolen goods,Sus crime/disorder/ASB	1
Sus crime/disorder/ASB	3
Total	1462

Offence	Stops
Not Recorded	1053
Affray	1
ASB Nuisance	1
Assault occasioning actual bodily harm (Sec 47)	1
Carrying a loaded/unloaded imitation firearm/air weapon in a public place	4
Common Assault and Battery	1
Exposure	1
Fear or provocation of violence (Sec 4)	2
Going equipped for stealing etc.	19
Having an article with a blade or point in a public place	13
Having possession of a controlled drug - Cannabis	127
Having possession of a controlled drug - Cocaine	18
Having possession of a controlled drug - Heroin	3
Having possession of a controlled drug - Other Class A drug	4
Having possession of a controlled drug - Other Class B drug	2
Having possession of a controlled drug - Unspecified	1
Murder of a person aged 1 year or older	1
NFA	3
No Further Action	118
Non Notifiable - Harassment, alarm or distress (Sec 5 POA)	2
Other criminal damage to a building - business and community (under £5000)	1
Other criminal damage to a residence (under £5000)	4
Other criminal damage to a vehicle (under £5000)	1
Possess a psychoactive substance with intent to supply	1
Possession of a controlled drug with intent to supply - Cannabis	3
Possession of a controlled drug with intent to supply - Cocaine	2
Possession of a controlled drug with intent to supply - Other Class A drug	9
Possession of a controlled drug with intent to supply - Other Class B drug	3
Possession of a controlled drug with intent to supply - Unspecified	2
Production or being concerned in production of a controlled drug - Cannabis	3
Pursue course of conduct in breach of Sec 1 (1) which amounts to stalking	1
Receiving stolen goods	1
Residential burglary of a home	2
Robbery personal	3
Supplying or offering to supply a controlled drug - Cocaine	1
Supplying or offering to supply a controlled drug - Other Class A drug	4
TEW offences: Assisting offender	1
Theft from a motor vehicle	2
Theft from shops and stalls	38
Theft of a motor vehicle	3
Wounding with intent to do grievous bodily harm (Sec 18)	2
Total	1462

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