

**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: 11th November 2024

Your ref: FOI

Our ref: FOI 2024 / 980

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 7th November 2024 concerning Telemetry regarding a specific Police response.

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:

Telemetry data for any and all units responding to STORM Log: 88/060724 which passed through Coate Water roundabout between 11:00-12:00; particularly data relating to speed.

I'm requesting specifically, the speed any unit was travelling through Coate Water roundabout, whilst responding to STORM Log: 88/060724 on 06/07/24 between 11:00-12:00.

Our response:

A response to your request has been exempted under the following :-

- Section 31(1) – Law Enforcement

Section 31(1) is a prejudice based and qualified exemption, therefore the harm (prejudice) in disclosure should be evidenced and the public interest given.



INVESTOR IN PEOPLE

Overall Harm

Although every effort should be made to release information under the Freedom of Information Act, to disclose specific details around the telemetry of vehicles regarding this particular response by Wiltshire Police would prejudice future law enforcement tactics and our ability to effectively and efficiently prevent and detect crime and bring offenders to justice. Although there is public interest in the transparency of policing, this is countered by the need to protect any future law enforcement conducted by Wiltshire Police.

Furthermore, there is a very strong public interest in safeguarding the integrity of police law enforcement and the ability to police effectively and safely. This, in-turn, would reassure the public that the police are highly secure and would not disclose any information to the world, not just the requester, which may jeopardise law enforcement.

Public Interest Considerations

Section 31 – Law Enforcement

Factors Favouring Disclosure

The disclosure of this information would lead to a better-informed public and promote trust by demonstrating openness, transparency and accountability. In addition, the public are entitled to know how public funds are being spent.

Factors Against Disclosure

Any disclosure made under the Freedom of Information process is effectively a disclosure to everyone in the public domain.

Disclosing specific information of this nature about our specific response to this particular Storm Log / incident would provide to the world, not just the requester, details of the tactics used when responding to calls (whether the response is standard or priority).

This would place our law enforcement into jeopardy and by providing such detailed and specific information it could also lead to an increase in such crimes being committed and aid criminals in regards to the likely response times to reported incidents etc. This could aid criminals – when considered alongside other similar requests that may already be in the public domain - by highlighting the volume of Police units deployed, their type and capability, which specific locations may be vulnerable and where Police response is likely to be slower and/or compromised etc. All, in turn would potentially undermine public confidence and our ability to enforce the law.

Furthermore, disclosing this information into the public domain would highlight that Wiltshire Police does not take the security and integrity of law enforcement seriously, which would cause a large drop in confidence.

Balance Test

The above points highlight both the merits and issues with disclosing in full the requested information in relation to your Freedom of Information request. Overall the police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Because of this, Wiltshire Police will not divulge any information if to do so would prejudice our law enforcement or operational capabilities and in turn lead to more victims of crime and offenders not being brought to justice. The public interest is very largely in favour of non-disclosure in full to ensure the capability of law enforcement of Wiltshire Police.

This would only be overridden in exceptional circumstances, which this Freedom of Information request is not.

Please Note

Under our Section 16 obligation to be as helpful as possible to an applicant, if you have concerns about any aspects of the Police response to this particular Storm Log / incident we would recommend that you submit a formal complaint to our Professional Standards Team.

They will undertake a full and independent review of your complaint and provide you with a full response along with the requisite rationale. They can be contacted at the following E mail address :-

complaints@wiltshire.police.uk

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 31(1) – Law Enforcement

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