

WILTSHIRE POLICE



XXXX – By email

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

Date 17th February 2025

Our Ref FOI 2025-043

Dear XXXX,

I write in connection with your request for information dated 10th January 2025, concerning custody.

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 the Professional Standards and Legal Departments 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:

Please can you provide the following information relating to your detention and custody units.

1. Relating to the size of your detention and custody units.
 - number custody units in your force
 - total number of cells within all custody units
 - number of cells within your largest custody unit
 - number of detention officers
2. The annual volume of custody related complaints in the last 12 months (or recent 12 month period) that required an investigation. If possible, split by the following
 - Property related
 - Defence related (i.e. lack of access to a solicitor, lack of provision of medication, etc.)
 - Health & wellbeing related
 - Other

If you do not have the above split and have an existing report on the volume of custody complaints, please provide that.

3. How much has been paid out in compensation in the last 12 months for the investigations listed in Question 2, split by the following types
 - Lost property

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- Defence
- Health & wellbeing
- Other

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.

The information you are requesting, specifically in regard to questions 2 and 3, is not stored in a way which permits for easy retrieval. In 2024, 95 complaints were reported that would fall within the National Factor Custody and there were 119 claims for compensation. In order to retrieve the information requested in question 2, we would be required to manually review each complaint. We would then be required to manually cross reference and review every compensation claim to determine whether they were paid out in relation to the investigations in question 2 and locate the relevant information for question 3.

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.

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

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(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