

**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: 6th February 2025

Your ref: FOI

Our ref: FOI 2025 / 152

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 5th February 2025 2024 concerning Vulnerable Victims and Witnesses.

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:

- a) How many vulnerable victims and witnesses were warned to give evidence in cases that proceeded to court for the time periods 01/01/2023-31/12/2023 and 01/01/2024-31/12/2024.
- b) and of these, how many referrals were made by Wiltshire Police to the Witness Service for vulnerable victims and witnesses for the periods 01/01/2023-31/12/2023 and 01/01/2024-31/12/2024.

If definition of 'vulnerable' victims/witness is required, then definition should be taken from The Victims Code of Practice (VCOP).

Our response:

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

I have liaised with the Manager of our Horizon (Victim Support) Team, who has confirmed that the information requested is not currently collate/monitored within Wiltshire Police.

The Witness care team utilise a witness management system (WMS) to coordinate persons attending court - the system does not have a reporting function of any kind and the information that is recorded is very limited. There is no statutory requirement to record the specific information you are actually requesting.

I have been advised by the Horizon Manager that providing the information you seek would take an individual a number of weeks as would be required to manually search our system(s) for all magistrate and crown trials, view the data on vulnerable / witnesses on each case and establish if they were called to attend court.

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.

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.

However, under our Section 16 duty to be as helpful as possible to an applicant, I am happy to provide you with the following advice / guidance :-

- With regards to (b) above, I have been advised that there are plans in the future for this information recording to be improved, however I am not able to provide a realistic timescale when this will be implemented.
- Information relating to referral volumes would need to be sought from The Witness Service directly – we would recommend you approach them with an FOI request for this.

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