

**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 November 2025

Your ref: FOI

Our ref: FOI 2025 / 916

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 26th September 2025 concerning Firearms and Officer Misconduct.

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 writing to request information under the Freedom of Information Act 2000 regarding Police Officers who hold personal firearms and shotgun certificates. Specifically, I would be grateful if you could provide the following:

Since January 2021, how many police officers at your force, who are or have been holders of a personal firearms or shotgun certificate, have also been the subject of a misconduct investigation regarding alleged police perpetrated domestic abuse (regardless of outcome or if there was a case to answer)?

Please break down the numbers as outlined below:

- The total number of police officers who had a personal firearms or shotgun certificate at the time their PPDA misconduct investigation was initiated and
 - Of these, the number where the eventual result of the initial investigation was that
 - a) there was a case to answer



INVESTOR IN PEOPLE

- b) there was no case to answer,
 - c) the officer was referred to RPRP
- The total number of police officers who remained holders of personal firearms or shotgun certificate throughout their misconduct investigation and
 - Of these, the number where the eventual result of the initial investigation was that
 - a) there was a case to answer
 - b) there was no case to answer,
 - c) the officer was referred to RPRP
- The total number of police officers who gained a personal firearms or shotgun certificate having previously been the subject of a PPDA misconduct investigation (where this information is known)
 - Of these, the number where the eventual result of the initial investigation was that
 - a) there was a case to answer
 - b) there was no case to answer,
 - c) the officer was referred to RPRP

Our response:

Wiltshire Police can neither confirm nor deny that any information is held relevant to this request as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 31(3) – Law Enforcement
 Section 40(5) – Personal Information

Note – Section 31(3) (Law Enforcement)

Section 31 is a qualified prejudice-based exemption and therefore requires Wiltshire Police to establish the harm in disclosure, along with the public interest favouring and against disclosure.

Overall Harm

Any disclosure under the Freedom of Information Act is a release to the public at large – in addition to being a release to other individuals currently working for Wiltshire Police. Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate and the

applicants do not have any ulterior motives. Whilst not questioning the motives behind this specific request, confirming or denying that information is held would cause operational harm and affect our ability to fulfil our core function of law enforcement in the future.

Information in relation to Complaints and Misconduct issues is held on a database called Centurion which is used by our Professional Standards Department. Centurion is an old legacy database which is very limited in respect of what information is physically held in searchable fields. Whilst it is possible to review Misconduct Cases by type, there are no resident fields in that database that record whether the individual involved has – at any time – been either a Firearms Officer or Firearms holder.

Similarly, information about Firearms Holders is held on a number of other separate and distinct systems managed by our Firearms Licensing Team. The data held in those systems does not contain any information regarding any Firearms Holders who have ever been subject to any misconduct investigations.

The only way of potentially identifying the information you require (if it was held) would be to canvass our Firearms Licensing teams for the information at (A) and then marry it up with information potentially held within PSD at (B).

We also feel that numbers held (if at all) will be very low, and that it is possible to identify the officers captured by this request. This is because a response confirming information is held (under the broad terms that FOI is a broadcast to the world) is information about officers subject to misconduct for domestic abuse, which is likely not something that the personnel in Firearms Licensing might be aware of.

It is not known if how Wiltshire Police operates in respect of these circumstances and whether a FA certificate would be revoked in any case where misconduct because of PPDA was alleged. But if a certificate is not automatically revoked and the details shared between the respective departments, it would mean that disclosing that information is held for this request would marry up the data provided by FA licensing with the officers concerned. In short, it is not simply about the risk of identifying an individual within the public arena, but also identifying any person to other colleagues in the organisation.

For part C of your request, the process to obtain the data is the reverse for A/B, but it remains the case that confirmation of any information risks the identification of an individual.

Public Interest Test

Factors Favoring Confirming or Denying – Section 31

Confirming or denying would provide an insight into the Police Service. This would enable the public to have a better understanding of the effectiveness of the police and about how the police operate and also self-regulate. It would greatly assist in the quality and accuracy of public debate, which could otherwise be steeped in rumor and speculation. Where public funds are being spent, there is a public interest in accountability and justifying the use of public money.

Factors Against Confirming or Denying – Section 31

Confirming or denying that any information you require is held would have the effect of identifying individual officers currently within the Force and – potentially – some that are no longer working for Wiltshire Police.

A disclosure under FOI is not simply a disclosure to the public domain – it is also a disclosure to current members of staff that are employed by Wiltshire Police.

The methodology which would have to be used in order to obtain the information you require (if it was held) would enable staff at Wiltshire Police to use a “mosaic-effect” of various information to identify other specific current or previous members of staff.

Balance Test

Wiltshire Police will not divulge whether any information is or is not held regarding any Officers involved in PPDA Misconduct Issues have ever been either Firearms Officers, Firearms Certificate holders either before or subsequent to a Misconduct Hearing if to do so would either identify any individual or place the safety of any individual at risk (be them an officer or member of the public), if it would potentially erode public confidence in the Force OR compromise effective policing.

As much as there is public interest in knowing that policing activity is appropriate and balanced this will only be overridden in exceptional circumstances
However, this should not be taken as necessarily indicating that any information that would meet your request exists or does not exist.

Note - Section 40 (Personal Information)

The information that you are requesting is exempt under the Freedom of Information Act (FOIA) 2000. The FOIA is primarily concerned with disclosure of information to the public.

Information about a third party is exempt under Section 40(2).

Section 40 is a class based absolute exemption, for that reason there is no requirement to articulate the harm in disclosure or a requirement for the public interest test. However, disclosing this information would breach the Data Protection Act 2018, specifically Principle One (Fairness).

Wiltshire Police can also neither confirm nor deny whether any information is held relevant to your request as the duty in Section 1(1)(a) of the FOIA does not apply by virtue of Section 40(5).

No inference can be taken from this refusal that any information relevant to your request does or does not exist.

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 exemptions applicable to the information requested are as follows :-

- Section 31(3) by virtue of (1g) and (2b) Law Enforcement
- Section 40(5) Personal information

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