



## Freedom of Information Request 1230/17

*Response date: 6<sup>th</sup> December 2017*

- 1) How many dogs were seized by your force in the in the most recent full year for which you hold records (please provide date range) under S1 of the Act?
- 2) How many of these dogs seized in the aforementioned period have been exempted?
- 3) How many of these dogs seized in the aforementioned period have been released as non type (found to have been non-banned breeds)?
- 4) How many of these dogs seized in the aforementioned period were then destroyed?
- 5) Of these dogs destroyed, how many were disclaimed by their owners during the aforementioned timeframe?
- 6) How many dogs were put on the Interim Exemption Scheme before going to court during the aforementioned time frame?
- 7) What are your kennel costs in relation to dogs seized under the Act for the aforementioned time period?
- 8) Were there any litters of puppies of seized dogs destroyed whilst the parent dog was kennelled in the aforementioned period?

### RESPONSE

#### Question 8

South Wales police have not seized any puppies during the period referred to in your request.

The remainder of your request for information has been considered and I am not obliged to provide you with the requested information.

In relation to your particular request, the following exemption applies:

#### **Section 22 – Information Intended for Future Publication**

Section 22 is a qualified and class based exemption which requires South Wales Police to carry out a public interest test. Even if such exemptions are engaged the information must still be disclosed unless the public interest in maintaining the exemption is greater than the public interest in disclosing it. If the balance test is equal, the default option should be to disclose.

The 'public interest' is not however, what the public may find interesting, there must be some tangible benefit to the community in such a disclosure. Ultimately it must be something that serves the interest of the public. It is a requirement to identify all the factors which serve these interests and also those which do not, only then can a decision be made. This process has now been carried out and the balance test has shown that the considerations favouring non-disclosure outweigh the considerations favouring disclosure.

This information is intended for publication in the near future. For South Wales Police to retrieve and disclose this information prior to publication in response to a Freedom of Information Request would be a duplication of work.

*Continued.....*

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### **Public Interest Test**

#### ***Factors favouring disclosure***

The public would be in possession of the information now, rather than wait until the information is published to the South Wales Police website.

#### ***Factors favouring non-disclosure***

Whilst this information is held, there is an intention to publish at the time of the request. It would not be the best use of public funds for the Freedom of Information Unit to duplicate work that will be carried out by the Publishing Team in due course.

In order to provide a response to this request, the information would need to be retrieved and collated prior to the requirement to do so for the scheduled publication. This would involve a disproportionate use of resources at this time and would affect the efficient and effective conduct of the force.

The section 22 exemption was specifically laid down by Parliament to benefit those who proactively publish information. To constantly produce new and up to date elements of the currently published information, in order to satisfy an additional need outside of the scheduled publication of the report will render these exemptions less effective and remove the benefits of proactive publications.

#### ***Balancing Test***

The only factor favouring disclosure is that the public would not have to wait for the information. It is deemed that the efficient and effective conduct of the force would be most harmed in the disclosure of this information therefore the balance falls on the side of non-disclosure. The reason for disclosure will be satisfied in the near future through the publication of the report.

In accordance with the Freedom of Information Act 2000, this letter acts as a refusal notice for your request.

Under Section 16 – Duty to Provide Advice and Assistance this information will be available on the South Wales Police in the near future.

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