



Gloucestershire Constabulary Freedom of Information request 2023.0443

On 19 April 2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

Q1) For the previous 5 calendar years please provide the total numbers of spiking incidents reported, plus any figures available on such reports for 2023 (specifying period). Please search for this data by means of keyword searches of MO codes, using the terms 'spike', 'spiking', 'spiked', and crimes alleged under the following Home Office codes:-

- 005/10 Administering poison so as to endanger life
- 005/24 Use of noxious substances or things to cause harm and intimidate
- 008/02 Administering poison with intent to injure or annoy
- 088/05 Administering a substance with intent

Please could you provide this data broken down by year.

- a) 2018
- b) 2019
- c) 2020
- d) 2021
- e) 2022
- f) 2023 - latest available data

Q2) For the reported crimes above, please state the number of cases referred to the CPS for a charging decision, and the number of convictions.

Please could you provide this data broken down by year.

- a) 2018
- b) 2019
- c) 2020
- d) 2021
- e) 2022
- f) 2023 (including latest available data)

Q3) For each year please provide number of cases where a sample from the alleged victim was sent for forensic testing Please could you provide this data broken down by year.

- a) 2018
- b) 2019
- c) 2020
- d) 2021
- e) 2022
- f) 2023 (including latest available data)

Q4) Finally can you please attach MO codes from Jan 1st 2023 for spiking-related offences? I accept redactions may need to be made to remove personal information.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

I can confirm that the data collected in respect of Question 1 resulted in 199 records identified as crime reports under the Home Office codes you helpfully provided.

In respect of Questions 2 and 3, the information you seek can only be obtained by conducting a manual review of each case. This requires accessing the crime records and any linked crime files, electronic and paper records (for those cases with an identified suspect), to establish if a charging decision was sought in addition to the reviews of all recorded cases as to whether a forensic submission was made. Given that there are 199 recorded cases in the period you requested, this will take a considerable period of time and will, in my view, exceed the appropriate limit under Section 12 of the act.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1) – Fee Regulations states:

Section 1(1) of the Act 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. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

Under our obligations under 2016 to assist you with this request, I can say that the information in respect of MO's for offences recorded during the whole time is available should you wish to make a new application.

The data in respect of the number of offences recorded broken down by year is also available. So too is the police outcome of each offence should you wish to make a further request.

In respect of your request about convictions, please note that the Constabulary only holds data in relation to the number of individuals charged/summoned for a particular offence. The ultimate outcome of these offences depends on what happens at court i.e. whether the offender is found guilty (convicted) or not. This information comes from the court

results which do not come within our systems. Hence we record the detection disposals for each case but do not have the ultimate conviction data.

Therefore any information relating to the outcome of a case, the length of sentence or whether any appeal was made is not held by the constabulary, but by the HM Courts Service. Please find a link below to their website:

www.justice.gov.uk/

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

Yours sincerely,