



Dear ,

Gloucestershire Constabulary Freedom of Information request 2023.0158

On 02/02/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to request the following information from your police force:

1. The number of individuals' images held in your forces' custody image database
NB – if the number of individuals cannot be ascertained, please provide the number of images in the database.
2. The number new individuals' images [or images, if the number of individuals cannot be ascertained] uploaded to your forces' custody image database in 2022
3. The number of requests for the deletion of images in your custody image database received by your force in 2020, 2021 and 2022 [provided separately please]
4. The number of these requests that were agreed to by your force, in each of those years.
5. A copy of any leaflet or information provided to arrestees by your force "explaining their rights to have their custody image deleted under certain circumstances", and any document/guidance given to officers on when to make this information available to arrestees.

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

Unfortunately it's not possible to electronically search for the information you have requested.

Although custody photographs are recorded on the Crime Recording System, it's not possible to retrieve statistics relating to how many are held. This is because the photographs are recorded on the Person record but these images do not only come from Custody photographs. Therefore, although it's possible to retrieve information on an individual basis, it's not possible to statistically link the photographs held to the fact that it may be a custody photograph.

In order to ascertain the number of custody images recorded, a manual review of all Person records held would be required. As this would involve reviewing thousands of records, this would clearly take far longer than the 18 hours prescribed by Section 12 of the Freedom of Information Act.

Please see below for suggestions on how you may be able to refine your request to come within the cost constraints of 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 Section 16, duty to assist, I can confirm that it's possible to retrieve the number of requests for deletion of custody images and the number that were agreed. If just this information would still be useful, please submit a new FOI request to foi@gloucestershire.police.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,

Disclosure Officer
Gloucestershire Constabulary