



Dear

Gloucestershire Constabulary Freedom of Information request 2023.0177

On 07/02/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

According to the police data published here <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables> , your force recorded the following offences in the following years:

a) Procuring an illegal abortion

2016/17:1

b) Intentional destruction of a viable unborn child

2021/22: 1

2019/20: 1

2014/15: 1

1. For each case please provide a description of the case including but not limited to:

- Basic facts of the case
- Whether the suspect was the pregnant woman or a third party performing an act against a pregnant woman.
- Their age at the start of the investigation
- How your force got alerted to the case
- Length of time it took your force to investigate
- Outcome of the case – if charged, please specify charges and under which legislation

2. In relation to cases dropped by the CPS, in how many cases did your force appeal the decision and on what bases?

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

I can confirm that the offenders for all 4 crimes detailed above were third parties, not the pregnant person involved.

All other information is exempt from disclosure by virtue of Section 40 of the Freedom of Information Act. This is because providing the information would like identify an individual.

Section 17 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.

With regard to the disclosure of any further information the following exemption applies:

Section 40(2) Personal Information

Section 40(2) applies to third party personal data. This would not be released under the Freedom of Information Act unless there is a strong public interest. The disclosure of any information which could lead to the identification of an individual would breach the Data Protection Principles contained with the Data Protection Act 2018, namely the first principle which states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals

This exemption is absolute and class based therefore I am not required to apply either the public interest test or harm test in disclosure.

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

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