



Dear ,

Gloucestershire Constabulary Freedom of Information request 2023.0353

On 30/03/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to you under the Freedom of Information Act 2000 to request the following information from your police force. Please may you provide me with:

1. The number of rape incidents at mental health hospitals that have been reported to your police force, broken down by financial year, since 2010.
2. The number of sexual assault incidents at mental health hospitals that have been reported to your police force, broken down by financial year, since 2010.

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.

The Crime Recording System does not have a specific 'Mental Health Hospital' tag that can be added to crimes that may have occurred in such settings. The system does have a general 'hospital' tag but this appears to have only been used since 2019.

As such, in order to ascertain any relevant information back to 2010, a manual review of all rape and sexual assault offences recorded would need to be carried out. This would involve manually reviewing thousands of records, which would take 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 after searching for the 'hospital' tag recorded against any rape or sexual assault offences, it would be feasible to review the number of crimes retrieved from the search to ascertain if any occurred in a Mental Health Hospital setting. If information just from 2019 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