



Dear

Gloucestershire Constabulary Freedom of Information request 2023.0519

On 09/05/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

- 1) How many non-crime hate incidents have been recorded by your force in the 2022 calendar year?

NOTE: I understand non-crime hate incidents are recorded through the 'Hate Crime Operational Guidance (HCOG)' issued by the College of Policing. According to the guidance, a non-crime hate incident is an incident which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards one of the following: disability; race; religion; transgender identity and sexual orientation.

- 2) In relation to the non-crime hate incidents recorded in 2022 please provide a breakdown by the hate motivation? Please provide this using the categories you use for this task, however, I would expect that some or all of the following would be included: Alternative subculture, disability, race, religion, sexual orientation, transgender, anti-semitic, asylum seeker/refugee, gypsy/traveller, islamaphobic and migrant worker.
- 3) In relation to all non-crime hate incidents that were logged by your force in the calendar month of September 2022 could you please provide me with (i) the exact nature of the actions or exact words used, (ii) where it was carried out (either a location such as school, workplace, street etc, or a specific social media platform/internet, and (iii) the age of the perpetrator if known.

NOTE: In Question 3 I am content for any details to be redacted so that the identity of the victim and perpetrator are not disclosed, but I would like as much detail about the circumstances of the incident as possible.

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 the Incident Recording system has a 'Hate' tag, there is no tag/category for the different hate strands.

As such, all 1042 incidents that were tagged as 'hate' incidents would need to be manually reviewed to ascertain the requested information. This would clearly take far longer than the 18 hours prescribed by Section 12 of the Freedom of Information 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.

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

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