



Dear ,

Gloucestershire Constabulary Freedom of Information request 2023.0559

On 22/05/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. Does the police force have any in-house or nationwide protocols at present for eliciting earwitness testimonies? If yes, what document, guidelines or tools are used?
2. What training is in place for how police officers conduct an initial account from a victim/witness when taking an earwitness testimony?
3. How many cases in the past year have involved earwitness evidence?

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

I can confirm that the Constabulary does not have any policy/procedures for eliciting 'earwitness' testimonies and there is no specific training provided.

Unfortunately, there is no way of electronically searching for any cases that may have involved 'earwitness' testimony.

There is no tag/category of such information on the Crime Recording System. Therefore, in order to ascertain if any information is held, a manual review of all crimes recorded in the past year would be required. Given that this would involve manually reviewing thousands of records, 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