



Gloucestershire Constabulary Freedom of Information request 2023.0597

On 05/06/2023, you sent an email constituting a request under the Freedom of Information Act asking the following:

In Nov 2022 it was reported that Glos Police were investigating the situation around a man (believed to be a 'Mr Warrington') absconding from Wotton Lawn Hospital and murdering his parents.

1A. Was the conduct of GHC Trust (or any sub-part of them - including individuals acting on their behalf) investigated by Glos Police as part of the above investigations?

1B. Has the police investigation completed (and if so, on what date)?

1C. Is it possible to obtain key findings from the above investigation?

2A. Under what legislation could concerns over falsification of medical records (by act or omission) be considered under by Glos Police?

2B. What offences apply to false or misleading medical records or formal statements derived from them?

(These questions are about factual accuracy and impressions created in the receiver of the information NOT about 'opinion' - personal or professional - of any authors involved)

3. Since 2016, have Glos Police investigated any offences in relation to 2 above for healthcare providers in Glos? Can further details be provided about any such investigations?

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

There are several offences which would fall under different legislations which may be relevant to the circumstances described in your request. In order to determine which legislations apply, a manual review of all offences recorded would need to be carried out to understand which offences are relevant, followed by research into to which legalisation govern these offences. This would involve the review of hundreds, if not thousands, of records and would therefore take far longer than the 18 hours prescribed by 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 search of the crime recording systems for specific offences can be conducted, however please refer to the Home Office Counting Rules in the link below and provide us with the offences you would like a search to be conducted for.

[Home Office Crime Recording Rules for frontline officers & staff - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/344441/20160622_HOCRFRules.pdf)

Please submit a new FOI request outlining what offences you would like the search to be conducted for.

Providing Information Outside of the Act

By way of assistance and although excess cost removes the Force's obligations under the Freedom of Information Act, we have supplied the information relevant to your request which has already been retrieved. We trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

- 1a. No
- 1b. No information held
- 1c. No information held

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.