



Gloucestershire Constabulary Freedom of Information request 2023.0687

On 01/07/2023, you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to request information under Freedom of Information, relating to the use, by your Force, of Sexual Risk Orders.

In particular, I would be grateful if you could please provide the following information relating to the time period, 1 January 2020 to 31 March 2023:

1. How many Sexual Risk Orders has your Force applied for?
2. How many of those applications have been successful?
3. What was the conduct / "act of a sexual nature" that triggered the application for the Sexual Risk Order?
4. What conditions were imposed by the Sexual Risk Order, negative and positive?
5. How many breaches of Sexual Risk Orders have taken place?
6. Which conditions were breached?

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

I can confirm a search on the relevant systems have been conducted and the results are as follows:

1. 4
2. 4
5. 0
6. N/A

With regards to Q.3 and 4, conduct which triggered the application for the Sexual Risk Order and the conditions imposed will not be disclosed.

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 the type of conduct by an individual resulting in a SRO being applied for, and the conditions imposed by an order, this will be any behaviours that would amount to any offence that would fall under the Home Office Offence Group of

Sexual Offences. To disclose the specific recorded information in relation to the orders applied for by Gloucestershire Constabulary could lead to the identification of an individual, and therefore 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 within 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