



Your reference: n/a
Our reference: FOI_23_0774
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 30/08/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0774

On 02/08/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

- 1) Please state how many of the following crimes were alleged to have occurred and recorded by your force as happening inside Burger King restaurants in the financial year 2022/23.

Assault offences to include all assault offences:

- 5D - Assault with intent to cause serious harm
- 8N - Assault with injury
- 8P - Racially or religiously aggravated assault with injury
- 105A - Assault without injury
- 105B - Racially or religiously aggravated assault without injury

Please note I am only interested in assaults which occurred inside the restaurants' premises.

To clarify, an assault that was recorded as having happened 'down the road from' a Burger King would not be of interest, although one that happened inside the restaurant or at least in the doorway/entrance would be.

- 2) In addition, please state the addresses of the THREE Burger King restaurants in your police force area with the most alleged/recorded assault offences in 2022/23, stating how many occurred for each one.
- 3) Finally, please provide me with a verbatim copy of of the "investigation summary field" and/or the modus operandi (MO) for the FIVE most recent cases recorded for each of the top three Burger King locations.

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

Police Forces in the United Kingdom are routinely required to provide statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons the figures given relate to information from the specific recording system of Gloucestershire Constabulary and should not be used for comparison purposes with any other response you receive.

Please note that our systems are designed to record information for policing purposes and the investigation of crime and not to extract statistical information. Accordingly whilst we endeavour to extract relevant data within the time limits of the Act, any data supplied is subject to these limitations.

I can confirm that a search has been conducted Crimes recorded between 01/04/2022 and 31/03/2023 whereby the offence was one of those listed above and the term 'Burger King' was included in the location of the offence.

The result was 1 x crime. The MO recorded is as follows:

VICTIM WAS [Section 40] AT THE LOCATION WHEN SUSPECTS HAVE THROWN [Section 40] IN VICTIMS FACE AND THEN FURTHER PHYSICALLY ASSAULTED HIM

Given the low number of crimes, any further information is exempt under Section 40 of the Freedom of Information Act.

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 any further information, 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 with 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.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary