



Your reference:

Our reference: FOI_2023.0818

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 11/09/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0818

On 13/08/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

Can you please tell me how many incidents you have recorded of Chinese university students harassing and intimidating other students since 2018?

Can you please give me a list of the number of incidents recorded each year for the past five years?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary does not hold relevant information.

Please note that the word "incident" in Gloucestershire Constabulary's terminology refers to a type of record, not the event as a whole. If an offence is being reported (rather than a missing person for example) the "incident" will be assessed to determine if the offence falls within the Home Office Counting Rules for Recorded Crime. If that incident is deemed to fall within the counting rules, a "crime" will be recorded on the Crime Recording System.

Unfortunately, it is not possible to electronically search for the information you have requested of how many incidents have been recorded of Chinese University Students harassing and intimidating other students from 01/01/2018 – 13/08/2023. In order to identify and retrieve the requested information, a manual review of thousands of incident reports over the 5 years requested. Which would take longer than the 18 hours prescribed by Section 12 of the Freedom of Information Act.

Unfortunately the Constabulary is unable to identify the occupation of the offender from electronic searches of the crime records as the crime record is independent of the occupation field, which appears on the individual files. Occupation is a non-mandatory free text field and may be updated each time an individual comes into contact with the police.

Electronic searches could only extract the occupation recorded on the system at the time the search is made if the field has been completed. For example an offender may have come into contact with the police in 2006 when their occupation was recorded and then again in 2014 when the occupation field was updated. The occupation then showing on the system would not be correct for the 2006 crime. Equally an offender's occupation may not be recorded at all on initial contact but recorded at a later stage following subsequent contact with the police. It would be incorrect to link the occupation showing on the system to the earlier crime.

With reports of historic crimes, the occupation of the victim at the time of the crime (possibly 10 or 20 years ago) is only likely to be recorded on the system if it is relevant to the crime. Where crimes are reported as happening over a long period of time, the victim could have had multiple occupations during the period of the crimes.

The only way of trying to determine whether any information is held relating to the occupation of student and to retrieve any relevant information would be to undertake a manual review of all crime records and the individual records of the victims of those crimes. This would take far more than the 18 hours prescribed by 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.

Section 16 – unable to assist

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.

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