



Your reference:

Our reference: FOI_2023.0848

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 18/09/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0848

On 22/08/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. The total number of civil orders issued by your force broken by year from 2018 to the most recent data available. If possible, I would appreciate it if this could be broken down by type of civil order issued.
2. The total number of complaints that were logged against officers at your force by year from 2018 to the most recent data available, if feasible, broken down by the nature of category of the complaint.
3. A breakdown of the outcomes of those complaints – i.e. how many led to, say, misconduct hearings or criminal prosecutions, how many led to investigations or how many had no further action taken – similarly broken down by year, as above.
4. The total number of both 'mandatory' and 'voluntary' referrals to the IOPC of cases involving officers or staff from your force broken by year from 2018 to the most recent data available. In the case of 'voluntary' referrals, if possible, a wider breakdown of the outcomes of those referrals would be appreciated (i.e. how many led IOPC to launch its own investigation, how many led to the IOPC to supervise a force professional standards investigation or how many cases where the IOPC declined to have input into the case in question)

I wanted to clarify that ideally I was hoping for the request to cover all types of civil order notices, but if that is not possible it would be acceptable to limit the response to focus just on civil injunctions, community protection notices and criminal behaviour orders. I also have no preference between orders issued by the force or those actually made – ideally would love to see figures for both – but if one is infeasible then I am happy to go with whichever allows the request to stay workable within the limits of the act.

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

Unfortunately, there is no central recording process for civil orders. Civil orders are generally linked to ASB offences, which are managed by Neighbourhood Policing Teams. To determine if any information relevant to question 1 of your request is held, all Neighbourhood Policing Teams and Officers Pocket Notebooks would need to manually reviewed.

Even by narrowing this request down to those most likely to potentially hold this information, or reducing the timescale of the request, we have estimated that this part of the request would far exceed the permitted time constraints, therefore Section 12 of the Act is applicable. This section does not oblige a public authority to comply with a request for information if the authority estimated that the cost of complying with the request would exceed the appropriate limit of 18 hours, equating to £450.00

You should therefore consider this to be a refusal notice under Section 17 of the Act for this part of your request.

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 of the act I would like to take this opportunity to advise you that questions 2-4 of your request could be answered by the Constabulary. If this information is still useful to you, you can resubmit your request, omitting question 1.

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