



Your reference:

Our reference: FOI_2023.0860

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 22/09/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0860

On 24/08/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to you under the Freedom of Information Act 2000 to request the following information:

For the six month period January-June 2023 please provide the following information for your police force area:

1. The number of individuals arrested and charged with criminal offences who have raised the statutory defence under section 45 of the Modern Slavery Act broken down as follows:

- (a) adults (aged 18 years and over); and
- (b) children and young people (aged 17 years and under)

2. The number of individuals (a) arrested and (b) charged for offences under the Modern Slavery Act 2015 on an all offence basis where the offending conduct involves 'criminal exploitation' (ie where the victim has been exploited to commit criminal activity)

3. The number of investigations into illegal cultivation of cannabis, and of these how many also included investigation for the following:

- (a) illegal abstraction of electricity,
- (b) modern slavery
- (c) violent offences such as assault
- (d) offences relating to possession of a weapon

4. The number of individuals arrested for possession of a controlled drug with intent to supply aged (a) 18-25 years, (b) 16-17 years, (c) 12-15 years, (d) 11 years and under

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

Unfortunately there is no central register for this information and no way to retrieve the information by way of electronic searches. The Constabulary records arrests under specific reason for arrest codes and can only search against the specific codes. There is no code for "Modern Slavery" and any arrest may fall within several categories. The only way of trying to determine whether any relevant information is held and to retrieve that information would be to manually review each arrest in all possible arrest codes. This would involve the review of hundreds 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 as an alternative for question 2 a search of the crime recording system for Crimes for Modern Slavery Offences, as an alternative for question 3 a search of the crime recording system for illegal cultivations and subsequent offences please see the link below for the Home Office Counting Rules for the offences you require 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/612211/2019-01-23_Home_Office_Counting_Rules_for_frontline_officers_and_staff.pdf)

For question 4 we are able to search the custody records for the reason for arrests for the possession of a controlled drugs with the intent to supply, please state which classification of drugs you would want this search to be conducted for.

If this would still assist, please submit a new FOI request to foi@gloucestershire.police.uk stating which offences you would like us to search.

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