



Your reference: n/a

Our reference: FOI_23_0936

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 19/10/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0936

On 22/09/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am requesting information on cases referred to in the media recently (see here and here for example) of abortions performed beyond the legal limit, and any similar cases. I would request the information be formatted in a spreadsheet with the various columns denoting the information sought and/or via any sufficiently redacted reports.

Specifically, I am requesting information on any reports of illegal abortion, coercing/forcing a miscarriage, or similar, and the method of doing so. I request that the number of incidents/reports for the last decade (2012-now) be broken down by suspect (e.g. the pregnant woman and/or third party(ies) such as a boyfriend, random attacker etc.), and alongside this, request the following be specifically denoted: the method of miscarriage/abortion (e.g. instruments, physical assault, women deliberately injuring themselves, etc. If pills were used, please denote the provider they were obtained from and if obtained after a telemedicine consultation or in person consultation); gestation of the pregnancy, and the final outcome of each report (e.g. if applicable please disclose whether there was a guilty plea, prosecution / trial, conviction, and any sentence, or if it was determined it was a miscarriage and a woman was wrongfully investigated, etc.).

Also broken down by suspect please denote the total number of arrests and total number of charges and under what legislation each arrest occurred / charge was brought (most likely HOC 14: Procuring illegal abortion; HOC 15: Concealing infant death close to birth; HOC 4/03 Child destruction, but could be under other legislation related to battery, grievous bodily harm, poisoning, etc.).

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

Unfortunately, it's not possible to electronically search for the information you have requested.

Prior to 2018, the arrest recording system was limited in what offence information was linked to it. Its primary function was simply to assist the police in adhering to Code C of PACE and only used Reason for Arrest (RFA) Categories rather than specific offences.

As such, it's not possible to electronically search for arrests specifically relating to illegal abortions prior to 2018. In order to ascertain if any relevant information is held, hundreds if not thousands of arrest records would need to be manually reviewed. This would clearly take far longer than the 18 hours prescribed under Section 12 of 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, I can confirm the following information can be electronically retrieved from the system:

1. A search for the number of the specific offences recorded in the time period specified.
2. If you would like a search to be conducted of an offence that is not specific to illegal abortions such as Battery, such a search would only be possible alongside a free text search of the MO.
3. Depending on the number of offences retrieved, a manual review of the crimes recorded may be possible to retrieve the other information requested relating to the method of miscarriage.

If the above information would still be useful, please submit a new FOI request to foi@gloucestershire.police.uk

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