



Your reference: n/a

Our reference: FOI_23_0942

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 2023.0942

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

Could you please supply details on how many people have been arrested on suspicion of any of the following offences between 2019 and 2023:

- Administering drugs or using instruments to procure abortion (s. 58 OAPA 1861)
- Procuring drugs etc to induce an abortion (s. 59 OAPA 1861)
- Child Destruction (s1. Infant Life Preservation Act 1929)

- Please break the figures down by year.
- Please provide the sex of the person arrested.
- Please provide the age of the person arrested.
- Please indicate whether they were charged.
- Please provide a brief description of the offence, where possible

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.

The primary function of the Constabulary's Arrest Recording System is to assist the Constabulary in adhering to Code C of the Police and Criminal Evidence Act. As such, its reporting function is limited. The system does not record detentions under specific offences under the Home Office Counting Rules for Recorded crimes; instead it uses Reason for Arrest (RFA) Categories. Unfortunately there is no specific RFA Category for the offences you have stated above. Although it's possible to follow an arrest through to a recorded crime and the police outcome per individual, it's not possible to retrieve electronic statistics. Therefore in order to ascertain if any relevant arrest information is recorded, a

manual review of hundreds of records would be required. This would clearly take far longer than the 18 hours prescribed by 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 that a search can be conducted of the Crime Recording System for any crimes recorded with the above offences. Such a search can retrieve details of the suspect/offender where recorded. If this 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