



Your reference:

Our reference: FOI_2023.1160

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 28/12/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.1160

On 01/12/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

We write to make a Freedom of Information Act request in respect of Gloucestershire Constabulary and information relating to suspects who are under investigation for allegations of sexual assault and rape.

We request the following information:

1. Please state how many people who are investigated for allegations of rape are released on bail.
2. Please state the average length of time it takes for someone to be released on bail while under investigation for allegations of rape.
3. Please state how many people who are released on bail for allegations of rape, then go on to be released under investigation. Please also state the average length of time.
4. Please state how many people commit suicide whilst either being released under investigation or on police bail for allegations of sexual assault and/or rape.
5. Please state how many deaths have been reported by your force to a Coroner where the deceased had:-
 - a) been under investigation by your force; and
 - b) the offence was one of rape and/or sexual assault.
6. Please state how many cases have been reported to the Independent Office for Police Conduct as a Death or Serious Injury matter by your force where:-
 - a) a person has died; and

b) had been under investigation for an offence of either rape and/or sexual assault.

Clarification was sought asking for a time frame and a response was received requesting the last 5 years.

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

Initial searches for the Reason for Arrest of Rape over 5 years this has returned over 700 records. The bail status is a live field within the record and is overwritten when it is updated therefore the only way to access the historical bail status is to conduct a manual review of each record. A manual review would take 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.

Providing Information Outside of the Act

By way of assistance and although excess cost removes the Force's obligations under the Freedom of Information Act, we have supplied the information relevant to your request which has already been retrieved. We trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

A search has been conducted with the relevant department for question 6, I can confirm that over the 5 years requested no cases have been reported to the IOPC for a Police Conduct as a death or serious injury matter where the person has died who has been under investigation for either rape and/or sexual assault.

Under Section 16, duty to assist, a search of a crime recording system for all substantiated crimes for Rape, this search can be done for the number of offenders/suspects which have been investigated for the offence and can include the recorded outcomes of the case. The outcomes can include if the offenders/suspects have died.

A separate search can be conducted on the Custody data for offenders/suspects who have been arrested for Rape offences this search can be conducted for the time the offenders/suspects were arrested to the time they were bailed from Custody.

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