



Your reference: n/a

Our reference: FOI_24_0042

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 07/02/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0042

On 11/01/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. For adult rape crimes investigated by Gloucestershire Constabulary that led to an offender being charged in the last five years, please provide the date the investigation opened and the date the offender was charged in each case. (To be clear, I would like details for all adult rape crimes where the offender was charged within the last five years, even if the investigation was opened before that period.)
2. For all adult rape crimes still being investigated by Gloucestershire Constabulary that have yet to see an outcome, please provide the the date the investigation was opened. (Again, to be clear, in this case I would like details for all adult rape crimes that have yet to see an outcome regardless of the date the investigation was opened, and not just those from the last five years.)

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 all the information you have requested.

Although it's possible to retrieve the number of crimes of rape that received a police outcome of charge for the time period requested, it's not possible to electronically retrieve when the investigations commenced nor the exact date the charge was issued. 87 crimes would need to be manually reviewed.

I can also confirm that it's possible to search for the number of crimes that are still showing as undetected but unfortunately, due to changes in how crimes are closed, this doesn't necessarily mean the investigation is still ongoing. In order to ascertain those that were currently ongoing, a manual review of 374 crimes would be required.

To manually review 461 crimes would take longer than the 18 hours prescribed by section 12 of the Freedom of Information 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.

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

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