



Your reference: N/A
Our reference: FOI_2024.0096
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 15/02/2024

Dear

Gloucestershire Constabulary Freedom of Information request 2024.0096

On 21/01/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Could I please ask you under the Freedom of Information Act to write and confirm, in your area :

- 1) How many charges have been made for people committing incest every year for the last 10 years?
- 2) How many instances were consensual involving two adults, their ages and sexuality?
- 3) How many instances resulted in prosecution and sentencing and what those sentences were?

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

Unfortunately, it is not electronically possible to retrieve the information you have requested in relation to 'how many instances were consensual involving two adults, their ages and sexuality'. In order to retrieve and identify this information, a manual review of 150 Crimes would need to be reviewed to determine whether if it was consensual. This manual review would exceed the 18 hours as 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.

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.

Police Forces in the United Kingdom are routinely required to provide statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons the figures given relate to information from the specific recording system of Gloucestershire Constabulary and should not be used for comparison purposes with any other response you receive.

Please note that our systems are designed to record information for policing purposes and the investigation of crime and not to extract statistical information. Accordingly whilst we endeavour to extract relevant data within the time limits of the Act, any data supplied is subject to these limitations.

Following receipt of your request, I can confirm that a search of the Crime Recording System has been conducted for all offences under the Home Office Offence Category of Incest or Familial sexual offences between 01/01/2014 – 31/12/2023. This search has included the recorded outcomes.

1. An annual breakdown of those charged for offences under Incest or Familial Sexual Offences

Year	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Det Charge / Summons	2	7	6	3	3	2	1	2	0	0	26
Total	2	7	6	3	3	2	1	2	0	0	26

3. This is not information held with Gloucestershire Constabulary.

Please note that the Constabulary only holds data in relation to the number of individuals charged/summoned for a particular offence. The ultimate outcome of these offences depends on what happens at court i.e. whether the offender is found guilty (convicted) or not. This information comes from the court results which do not come within our systems. Hence we record the detection disposals for each case but do not have the ultimate conviction data.

Therefore any information relating to the outcome of a case, the length of sentence or whether any appeal was made is not held by the constabulary, but by the HM Courts Service. Please find a link below to their website:

www.justice.gov.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