



Your reference:

Our reference: FOI_24_0278

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 02/04/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0278

On 05/03/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Please provide the following information relation to Clare's Law (Domestic Violence Disclosure Scheme):

- 1.a) Since the rollout of Clare's Law in 2014, how many applications requesting information have been made?
- 1.b) Of these applications, how many have been denied?
2. What is the average response time for these applications?
3. Is there currently a backlog of applications? If so, what is the size of the backlog?
4. How many times has the Avon and Somerset Constabulary made a disclosure "on their own initiative if they receive information about the violent or abusive behaviour of a person that may impact on the safety of that person's current or ex-partner" (Right to Know)?

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

Following receipt of your request, enquiries have been made with the relevant area of the organisation.

With regards to the number of applications that have been denied, unfortunately there is no central record for this information for the entirety of the date range. There is no national guidance criteria for the disclosure of this information, therefore there is no specific recording practices to document statistics for when an application has been denied. In order to identify this number, a manual review of all applications received will be required. As this would involve the review of over 3,000 records in total, this would take far longer than the 18 hours prescribed by 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.

Information provided outside of the Act

Under Section 19 – Duty to Assist, and although excess cost removes the Force's obligations under the Freedom of Information Act, I have supplied the information relevant to your request which has already been retrieved following the initial enquiries. I trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

1a.

Year	Total applications
2014-2018	283
2019	279
2020	507
2021	591
2022	700
2023	908
Total	3268

1b.

Whilst we cannot provide the total for the whole period, I can confirm that the number of applications that were denied in 2023 totals 142.

2.

Average response time for RTK, from application to conclusion for 2023 is 36 days. There is currently no information held in relation to response times for RTA applications.

3.

All applications are risk assessed within 24 hours of receipt and prior to allocation to an officer for process ownership.

All applications up to 08/03/2024 have been allocated to an officer.

For the period of 08/03/2024 to 27/03/2024, there are currently 49 requests awaiting allocation.

4.

No recorded information.

DA disclosures do not have to take the form of a Right to Know disclosure, and officers can provide a disclosure to an individual under other disclosure powers if it is deemed appropriate to do so whilst at a scene or during the investigation of a crime.

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