



Your reference:

Our reference: FOI_24_0384

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 07/05/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0384

On 09/04/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Under the Freedom of Information Act 2000, I seek comprehensive insight into the operational protocols, ethical guidelines, and adherence to UK legislation governing your organization's personnel. This request specifically pertains to law enforcement agencies, security services, and related organizations.

1. Are personnel required to undertake oaths or affirmations for legal service? If so, cite relevant UK legislation.
2. Detail policies or legal statutes governing personnel conduct regarding aiding or abetting crimes, with references to UK legislation.
3. Are personnel authorized to assist bailiffs or engage in enforcement actions? Outline legal and policy frameworks with references to UK laws or internal guidelines.
4. Provide conditions under which personnel are permitted to assist debt collectors, referencing relevant UK legislation.
5. Describe personnel training on legal obligations and limitations regarding bailiffs, debt collectors, and investigations, citing legislation or internal guidelines.
6. Explain organizational accountability and oversight for allegations of personnel complicity in criminal activities, including investigation procedures.
7. Detail legal basis and policies governing personnel use of force in civil matters, such as assisting bailiffs or debt collectors.
8. Provide policies on sharing personal data with external entities and compliance measures with Data Protection Act and GDPR.

9. Describe the process for the public to file complaints against alleged misconduct related to this request.
10. Provide statistical information on instances of personnel assisting bailiffs or debt collectors in the past three years, including outcomes.
11. Define enforceable warrants within your organisation's jurisdiction.
12. Outline specific criteria for warrants to be legally enforceable by local law enforcement agencies.
13. Describe different types of warrants and their enforceability under local laws.
14. List required legal documentation or evidence for warrant issuance and enforcement.
15. Explain differences in enforcing warrants between civil and criminal cases within jurisdiction.
16. Highlight recent changes or updates to legal standards or procedures related to warrant issuance and enforcement.
17. Explain circumstances where warrants can be challenged or deemed unenforceable by the subject or their legal representation.
18. Detail measures to ensure protection of individuals' rights during warrant execution.

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

With regards to Q10, unfortunately there is no central register for this information and no way to retrieve the information by way of electronic searches.

When an Individual contacts the police and it is deemed to be a police matter, an incident will be created on the Incident Recording System. Please note that the word "incident" in Gloucestershire Constabulary's terminology refers to a type of record, not the event as a whole. The Incident Recording System is largely a free text entry system and as such, its reporting function is limited. It is also possible that any instances of assistance to bailiffs may be recorded within Officer Pocket Note Books (PNBs).

The only way, therefore, to determine if any statistical information may be held by the constabulary would be to manually review all incidents recorded and all PNB entries. Considering that approximately 500 incidents are recorded per day, to search incidents alone would take considerably 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.

By way of assistance, I can confirm that enquiries are ongoing with regards to the rest of your request to identify which questions, if any, we would be able to answer. Once I have received responses from the relevant areas of the organisation, I will be able to advise you further on how your original request can be refined.

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