



Your reference: N/A  
Our reference: FOI\_24\_0386  
E-mail: FOI  
@gloucestershire.police.uk  
Direct dial: 01452 754304  
Postal Address: As above  
Date: 03/05/2024

Dear

**Gloucestershire Constabulary Freedom of Information request FOI\_24\_0386**

On 08/04/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Thank you for your email of 5/4/24, your explanation regarding costs and the detailed advice on refining my request. Please answer Q2 to Q6.

For the last three years:

2. Please provide the number of people you detained under section 43 of the Terrorism Act 2000 who were filming at police stations.
3. Please provide the number of people detained under section 136 of the Mental Health Act who were filming at police stations.
4. Please provide your current guidance to officers for dealing with people who film at police stations.
5. Please provide the number of civil claims you have received from people filming police stations. Specify the number who alleged they were unlawfully detained.
6. Please specify the number and size of payouts you have made relating to the civil claims from people detained for filming at police stations.

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

Unfortunately, it is not possible to electronically identify the information you have requested regarding the number of people detained under section 136 of the Mental Health Act who were filming at police stations. In order to identify and retrieve the requested information a manual review of 1302 Mental Health forms would be required to ascertain the reason why the person had been detained. This manual review would far exceed the 18 hours as 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.

Under Section 16 duty to assist, we maybe be able retrieve information for question 2, 4, 5 and 6 if a new request is submitted.

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](mailto:casework@ico.org.uk)

Post –

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

Yours sincerely,

Disclosure Officer  
Gloucestershire Constabulary