



Your reference: n/a

Our reference: FOI_24_0451

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 22/05/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0451

On 23/04/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. Between 28th April 2022 and 21st April 2024, how many arrests were made at protests under the Police, Crime, Sentencing and Courts Act 2022?
2. How many prosecutions resulted from the arrests totalled in Q1 during the same time period?
3. Between 28th April 2022 and 21st April 2024, how many arrests were made at protests under the Police, Crime, Sentencing and Courts Act 2022, citing criminal damage to memorials?
4. How many prosecutions resulted from the arrests totalled in Q3 during the same time period?
5. Between 28th April 2022 and 21st April 2024, how many arrests were made at protests under the Police, Crime, Sentencing and Courts Act 2022, citing new stop, search and seizure powers?
6. How many prosecutions resulted from the arrests totalled in Q5 during the same time period?

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

Unfortunately, it's not possible to electronically search for the information you have requested.

The primary function of the Constabulary's Arrest Recording System is to assist the Constabulary in adhering to Code C of the Police and Criminal Evidence Act. As such, its reporting function is limited. The system does not record detentions under specific offences under the Home Office Crime Recording Rules or under specific legislation; instead it uses Reason for Arrest (RFA) Categories. Unfortunately there is no single RFA Category for the legislation you have stated above. Although it's possible to follow an arrest through to a recorded crime and the police outcome per individual, it's not possible to retrieve electronic statistics. Therefore in order to ascertain if any relevant arrest information is recorded, a manual review of over 1000 records would be required. This would clearly take far 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.

Under Section 16, duty to assist, I have researched whether it's possible to retrieve the requested information by any other means.

There is an arrest description free text field within the detention records and this has been searched for the term 'protest' in detentions recorded from 28/04/2022 to 21/04/2024.

The results of this search have been manually reviewed to ascertain any that may be relevant. I can confirm that none of the detentions mentioned the above legislation, war memorials or stop and searches and therefore the result is zero.

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