



Your reference: n/a

Our reference: FOI\_24\_0465

E-mail: FOI

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Direct dial: 01452 754304

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Date: 22/05/2024

Dear

**Gloucestershire Constabulary Freedom of Information request FOI\_24\_0465**

On 26/04/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. How many evictions did your constabulary enforce under section 144 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, per year, between 2013 and 2023?
2. How many arrests were made under section 144 of the LAPSO Act 2012, per year, between 2013 and 2023?
3. Of these, how many were charged for the offence of squatting in a residential building per year, between 2013 and 2023?
4. How many convictions were secured for the offence of squatting in a residential building per year, between 2013 and 2023?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds 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; instead it uses Reason for Arrest (RFA) Categories. Unfortunately there is no single RFA Category for the offence(s) 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 hundreds of 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.

### **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, I can confirm the following 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.

I can confirm that a search has been conducted for cases recorded from 01/01/2013 to 31/12/2023 whereby the specific offence of 125/86 - LA12001 - Knowingly as a trespasser live / intend to live in a residential building was recorded.

The results were 5 x cases over the time period specified. These cases had the police outcome of 2 x adult cautions and 3 x charge.

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

Post –

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely,

Disclosure Officer  
Gloucestershire Constabulary