



Your reference: N/A
Our reference: FOI_24_0487
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 23/05/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0487

On 01/05/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Over the past 5 years, I would like to know:

- **Total Cases:** The number of reported cases involving US-affiliated individuals under the SOFA arrangement in off-base incidents (incidents occurring outside the relevant military base);
- **Jurisdiction:** How many of these cases:
 - Retained jurisdiction under your force;
 - Had jurisdiction transferred to the US force for judicial or non-judicial punishment;
- **Offenses:** The alleged offenses committed by military personnel off-base, if available;
- **Military Branch:** The relevant foreign military force involved (e.g., USAF, US Navy), if known;
- **Policy Documents:** Any policy documents that guide decisions on jurisdiction transfers to foreign militaries under SOFA arrangements.

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

Unfortunately there is no central register for this information and no way to retrieve the information by way of electronic searches. The only way of trying to determine whether any relevant information is held and to retrieve that information would be to manually review each incident record and or crime record. This would involve the review of

thousands of records and would therefore 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.

Section 16 – unable to assist

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

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