



Your reference: N/A
Our reference: FOI_24_0658
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 08/08/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0658

On 11/07/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. Between 1st February 2024 and 30th June 2024, how many reports did your police force receive alleging the offence of sharing explicit images or videos that have been digitally manipulated to look like someone else without their consent, commonly known as 'fake porn' or 'deepfake porn' (covered by the Online Safety Act 2023). Please include the number of alleged offences reported as well as the number of individuals i.e. if there were multiple reported offences against one individual.
2. Between 1st February 2024 and 30th June 2024, how many times did your police force charge someone under the Online Safety Act with the offence of sharing explicit images or videos that have been digitally manipulated to look like someone else without their consent, commonly known as 'deepfake porn' although that term is not in the legislation. Please include the number of charges as well as the number of individuals i.e. if one individual was charged with multiple offences.

A clarification email was sent on 12/08/2024.

A response to the clarification was received on 15/08/2024.

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

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.

Following receipt of your request, I can confirm that a search of the Crime Recording System recorded between 01/02/2024 – 30/06/2024 for the offence of: 088/15 – Sharing intimate photograph or film to cause alarm, distress or humiliation or for sexual gratification. A search has been conducted for the offenders. This has returned 27 records.

I can confirm that there 10 records which still ongoing investigations and therefore no further information can be disclosed relating to these investigations by virtue of Section 30 of the Freedom of Information Act.

Section 17 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.

With regard to the above requested information, the following exemption apply:

Section 30 – Investigations and proceedings conducted by public authorities

Section 30 is a qualified, class based exemption and therefore a public interest test is required.

Public Interest Test

Factors Favouring Disclosure

The disclosure of this information may provide the public with an awareness of any patterns in relation to this type of crime and help to inform public debate on this subject.

Factors against Disclosure

All of the information gathered forms part of an investigation which may be ongoing and any disclosure could undermine the effectiveness of the investigation. Furthermore the disclosure of a detailed breakdown in relation to an individual case may identify whether specific offending behaviour has been reported to the Police and if not, may result in a continuance of the behaviour. Victims may be able to identify themselves from the information disclosed, thereby causing further distress and deterring them from reporting future instances of harm to the Police. This will hinder the prevention and detection of crime.

Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The effectiveness of investigations and the intelligence they provide is of paramount importance and the Police service will not divulge

details that could compromise any ongoing investigations or the prevention and detection of crime.

For the reasons set out above it is our opinion that the balance test is in favour of withholding the requested information.

1. 17 records which have 0 – 1 alleged offenders.
2. 0

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