



Your reference:

Our reference: FOI_24_0693

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 21/08/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0693

On 25/07/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

We are writing to make an amended and refined request for information under the Freedom of Information Act 2000.

Please could you provide the custody records for arrests under sections 12 and 14 of the Public Order Act 1986 alongside, in each case, the age grouping of the persons arrested, the gender of the persons arrested and the ethnicity of the persons arrested. Please could you provide the requested information for both of the following time periods:

- January 2017 – May 2022 (inclusive); and
- June – July 2024 (inclusive).

Please could you also provide the custody records for arrests under (i) s.78 Police, Crime, Sentencing and Courts Act 2022 and (ii) the Public Order Act 2023 alongside the age grouping of the persons arrested, the gender of the persons arrested and the ethnicity of the persons arrested.

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

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 or Acts, instead it uses Reason for Arrest (RFA) Categories. Unfortunately there is no single RFA Category for the offences you have stated above. In order to ascertain if any relevant arrest information is recorded, a manual review of all records would be required. For the months of June & July 2024 alone, 1,572 detentions were authorised,

Therefore a manual review 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, we have supplied the 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.

Please be advised that due to an upgrade to the recording system in 2018, custody data is only available back to June 2018.

A search of the arrest recording system has been conducted to identify all records where there is an outcome of Charge or Postal Charge and where an offence that falls under the relevant sections has been attached to that charge. This does not necessarily denote that

this offence was the initial reason for the arrest, only that the individual has been charged with it following a custody event.

For offences that fall under sections 12 and 14 of the Public Order Act 1986, there were 0 (zero) results.

For offences that fall under section 78 of the Police, Crime, Sentencing and Courts Act 2022 and under the Public Order Act 2023, there were 5 results.

All 5 records resulted in a Charge being issued for the offence of Intentionally / recklessly cause a public nuisance. The total have been broken down as requested. Please note that due to the low number of records, uncorrelated tables have been provided to reduce the risk of any individual being identified.

Year	Total
2018	1
2019	0
2020	1
2021	3

Age Group	Total
0-17	1
18-30	3
31-40	1

Gender	Total
Female	4
Male	1

Ethnicity	Total
British	4
Not stated	1

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