



Your reference: N/A
Our reference: FOI_24_0714
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 23/08/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0714

On 29/07/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing under the Freedom of Information Act to request the following information:
By year since 2019:

Where you have figures, the number of road traffic collisions in which records show the Tesla Autopilot driver assistance system was active before the collision.
Where you have figures, the number of road traffic fatal collisions in which records show the Tesla Autopilot driver assistance system was active before the collision.
For each fatal collision, if possible, could you provide a short description of the incident, including who the fatalities were (driver, passenger, those in other vehicle, pedestrian, etc)

Please may I have an acknowledgement of this request and confirmation it will be met within 20 working days?

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

When an Individual contacts the police and it is deemed to be a police matter, an incident will be created on the Incident Recording System.
Both "injury" and "non-injury" collisions are recorded on the incident recording system, and we can identify if a resource has attended the incident, however the system is largely free text and there is no way to electronically retrieve data that may be recorded such as the make of a vehicle and whether the Tesla Autopilot driver assistance system was active before the collision. The only way to identify if this information is recorded and held by Gloucestershire Constabulary is to manually review all relevant records. Therefore a review of all records from the relevant timeframe would take far longer than the 18 hours prescribed by the Freedom of Information Act.

Please see below for suggestions on how you may be able to refine your request to come within the cost constraints of Section 12 of the 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, a search can be conducted of the injury Collision System which records the make and model of the vehicles. A manual review can then be conducted for the status of the injury and if the Tesla Autopilot driver assistance system was in operation.

If this would assist please resubmit your request with the above recommendations.

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