



Your reference: N/A
Our reference: FOI_24_0754
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 04/09/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0754

On 13/08/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

I would like the following figures on your police force's use of dispersal orders under the Anti-social Behaviour, Crime and Policing Act 2014, for the last two financial years (2021/22, 2022/23):

The total number of times the power was used; The total number of arrests made under the power.

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

Unfortunately, there is no central record for Dispersal orders, how many times the power has been used and the number of arrests made under the power as there is no Reason for Arrest of Dispersal Orders. They are managed by Neighbourhood Policing Teams and to determine if any relevant information is held, all Neighbourhood Policing Teams and Officers Pocket Notebooks would need to manually reviewed.

Even by narrowing this request down to those most likely to potentially hold this information, or reducing the timescale of the request, we have estimated that this request would far exceed the permitted time constraints, therefore Section 12 of the Act is applicable. This section does not oblige a public authority to comply with a request for information if the authority estimated that the cost of complying with the request would exceed the appropriate limit of 18 hours, equating to £450.00

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.

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