



Your reference: n/a

Our reference: FOI_24_0878

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Date: 21/10/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0878

On 26/09/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Between January 2024 - March 2024, please can I have a breakdown of the following:

1. (a) How many crimes for Section 5 Public Order Act (CCCJS Code: PU86149. HO Code: 125/12) which were recorded as state based offences (Rex offences) were closed?
1. (b) Of those crimes closed, how many were closed with no record of a notification provided to an informant or witness prior to closure?
2. (a) How many crimes for Section 127(1) Communication Act (CCCJS Code: CA03005 and CA03006. HO Code: 196/07) which were recorded as state based offences (Rex offences) were closed? To be broken down by CCCJS Code, if possible.
2. (b) Of those crimes closed, how many were closed with no record of a notification provided to an informant or witness prior to closure?
3. What is the force's policy on providing updates to witnesses and/or informants regarding state based offences (Rex offences)?
4. What is the force's policy on informing or updating witnesses and/or informants regarding the closure of a state based offences (Rex offences)?
5. Is there a requirement for updates to be provided to a witness and/or informant regarding the investigation of state based offences (Rex offences)?
6. Is there a requirement to update a witness and/or informant prior to the closure of a state based offence (Rex offence)?

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

Unfortunately, it's not possible to electronically search for the information you have requested in questions 1 and 2.

The [Home Office Crime Recording Rules](#) outline that Police Forces are to record all 'victim related offences' as a crime and these crimes are classed as 'notifiable' to the Home Office. These offences are recorded as Crime Records on the Crime Recording System.

In circumstances whereby an offence has been reported but it is a non-notifiable offence to the Home Office, these are recorded as a different type of record on the same system. These records unfortunately do not have a field for recording details of the victim, informant or witness. There is no electronic officer's notes on these electronic records either. (That is not to say that such information is not recorded, just not in a format to retrieve statistics.) As such, in order to ascertain the information you are requesting, a manual review of the relevant files, several systems and potentially a referral directly to the officer in the case (OIC) would be required. It has been estimated that to retrieve the detailed information you have requested will take 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, I can confirm the following 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.

There is no recorded information held specifically regarding questions 3-6.

The Crime Management Investigative Standards department has confirmed that witnesses and/or informants are not routinely required to be provided with updates on state based offences, however there are some state based offences that will mean the Constabulary seek to update and information witnessed of updates and outcomes.

There are no requirements or statutory obligations around updates and information provided to witnesses, however where possible and appropriate, the Constabulary follows the guidance set out by the Witness Charter. The information and contact made will be based on the circumstances of the crime, impact had and offence in question.

Further details of the Victim's Code and Witness Charter can be found via the following link to the Constabulary website:

[Support for victims and witnesses of crime | Gloucestershire Constabulary](#)

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