



Your reference: N/A
Our reference: FOI_24_0909
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 05/11/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0909

On 07/10/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Freedom of Information Act Request: conditions imposed, and arrests made under, section 12 and section 14 Public Order Act 1986 since 21 May 2024.

We write to you under the Freedom of Information Act 2000 ("FOIA") to request information.

This request relates to Gloucestershire Constabulary's use of powers under section 12 and section 14 of the Public Order Act 1986 (s.12 and s.14 POA) in respect of protests since 21 May 2024.

Therefore, please provide the following information:

1. A list of all protests where conditions were imposed under s.12 and s.14 conditions between 21 May 2024 and present (7 October 2024).
2. A copy of the document publicising the conditions imposed on each protest disclosed in response to question 1. And a list of the channels it was published on.
3. The number of people arrested for breaching s.12 and s.14 conditions since 21 May 2024.
4. If retrievable within the cost limit, the number of people arrested for breaching s.12 and s.14 conditions since 21 May 2024 broken down by:
 1. The name of the offence in the greatest detail possible, specifying any offence codes

2. Whether the offence was related to breaching the conditions imposed on the protest and, if retrievable within the cost limit, the specific conditions allegedly breached.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary may hold 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 under the Home Office Crime Recording Rules; instead it uses Reason for Arrest (RFA) Categories. Unfortunately there is no single RFA Category for the offence(s) 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 time frame of 21/05/2024 – 31/05/2024 and for the month of June alone, 1,001 detentions were authorised.

Therefore a manual review take far longer than the 18 hours as prescribed by Section 12 of 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, we may be able to provide you with the information if you omit questions 3 & 4 onwards.

If this would assist, please resubmit a new FOI Request.

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