



Your reference: N/A
Our reference: FOI_24_1017
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 11/12/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_1017

On 13/11/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Over the past 5 years how many police officers or staff members have been:

Investigated for dishonesty theft offences?

How many of these people have been allowed to remain in post?

How many of these people have been suspended from force?

If details can be provided about these cases and the appropriate authority assessment be provided please can this be done.

How many of these assessments have had a firearms review conducted on the individuals involved or their family.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon s17 of FOIA requires that we provide the applicant with a notice which: a) states that fact b) specifies the exemption(s) in question and c) states (if that would not otherwise be apparent) why the exemption applies.

Gloucestershire Constabulary can neither confirm nor deny that it holds any information in relation to systems used for intelligence purposes as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

The following exemption applies:

Section 31(1) – Law Enforcement

The exemption above is qualified and prejudice based therefore both a Public Interest Test and Harm Test are required.

Harm Test

Modern day policing is intelligence led and relies on the confidence of the public to come forward and report offences.

Disclosures under the Freedom of Information Act are disclosures to the world, not just to the individual making the request, and as such, to disclose information relating to live investigations could result in mistrust of the Police, which would then be likely to undermine the Police service's ability to serve the public in preventing and detecting crime and can only be considered as being harmful to the public.

Public Interest Test

Factors in Favour of Disclosure

The disclosure of this information would lead to a better public awareness of how Gloucestershire Constabulary investigates offences and would provide reassurance to the public that the Constabulary takes all offences very seriously.

Factors against Disclosure

Disclosing the details of ongoing investigations would show whether Gloucestershire Constabulary have recorded a relatively high or low number of any particular offence, which could highlight where the offending behaviour of officers has or has not been identified.

Balance Test

The points above highlight the merits for and against disclosure. Disclosure will provide a greater openness and transparency to the communities we serve regarding the recording and investigation of offences committed by officers. As much as there is a public interest in knowing this, disclosure of this information is overridden by the potential for personal data to be disclosed and the likelihood of other offences not being reported. The disclosure of information which is likely to undermine the Police service's ability to serve the public in preventing and detecting crime can only be considered as being harmful to the public.

In accordance with the Act, this letter represents a Refusal Notice for your 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