



Your reference: N/A
Our reference: FOI_24_1050
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 18/12/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_1050

On 21/11/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. How many NCHIs were recorded in a) 2023 and b) 2024 to date?
2. Of these, how many in a) 2023 and b) 2024 to date included personal data?
3. How many NCHIs have been removed following appeals in a) 2023 and b) 2024 to date?
4. On how many occasions in a) 2023 and b) 2024 were details of an NCHI disclosed for an enhanced criminal record certificate issued by the Disclosure and Barring Service?
5. Please provide me with a copy of the log of all NCHI recorded in 2024 to date including a) a summary of the incident b) the ages of the complainant and alleged subject c) the protected characteristic involved d) the location

Personal data can be removed.

If you have recently been asked for this data regarding the same dates please send me your response to earlier requests.

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

Police Forces in the United Kingdom are routinely required to provide statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons the figures given relate to information from the specific recording system of Gloucestershire Constabulary and should not be used for comparison purposes with any other response you receive.

Please note that our systems are designed to record information for policing purposes and the investigation of crime and not to extract statistical information. Accordingly whilst we endeavour to extract relevant data within the time limits of the Act, any data supplied is subject to these limitations.

A search was completed on our incident recording system for the dates of 01/01/2023 – 11/11/2024 where a hate tag is present but does not have a crime number.

The results are as follows:

1.

Year	Total
2023	173
2024	273
Total	446

2. All incidents recorded include personal data.

3. No information held.

When an individual contacts the police and it is deemed to be a police matter, an incident is recorded on the Incident Recording System. If its then deemed to fall within the Home Office Crime Recording Rules, a crime will be recorded on the Crime Recording System. However, as requested Non-Crime Hate Incidents, as the name suggests, are only recorded on the Incident Recording System.

4. This is not information which is held by the police, please see the link below to put a request in with the Disclosure and Barring Services:

customerservices@dbb.gov.uk

5. Copies of Non-Crime Hate Incidents logs are exempt under Section 40 – please see the below for further information regarding the reason for exemption of the requested data for Q5.

The Incident Recording System is largely free text and essentially records the caller's report of a potential offence. A member of the public would expect this data to recorded (processed) according to the [Principles of Article 5 of the Data Protection Act](#). As such as member of the public would at least expect their data to be kept confidentially and fairly. It would not be a regular person's expectation that details of their report of a potential crime to the police would be placed into the public domain via an FOI request.

As explained above, the details of an Incident Report are recorded using the words and opinions of the caller. There will be very clear personal data e.g. name, date of birth, telephone number etc. recorded on the incident. However it's also highly likely that further information within the call log, together with information that may be in the public domain or known to third parties, would amount to personal data.

Given the very sensitive nature of allegations of hate offences, it would be very inappropriate to risk disclosing any information that could identify individuals. Although it's

theoretically possible to review every incident report and redact any potentially identifiable information, this would inevitably render the resultant information without value.

Section 17 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.

With regard to the disclosure of redacted copies of incident reports, the following exemption applies:

Section 40(2) Personal Information

Section 40(2) applies to third party personal data. This would not be released under the Freedom of Information Act unless there is a strong public interest. The disclosure of any information which could lead to the identification of an individual would breach the Data Protection Principles contained within the Data Protection Act 2018, namely the first principle which states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals

This exemption is absolute and class based therefore I am not required to apply either the public interest test or harm test in disclosure.

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