



Your reference: N/A
Our reference: FOI_25_0006
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 29/01/2025

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_xxx

On 03/01/2025 you sent an email constituting a request under the Freedom of Information Act asking the following:

Request 1

Dear Information Governance Officer

This is a request for information according to the Freedom of Information Act 2000.

It relates to wrongful arrests and compensation.

Please can you provide the following information. Please note there are X parts to my request.

(1)

Between 1 January 2022 and 1 January 2025, how many times has your force made a wrongful arrest, when "protest" was recorded as part of the arrest, or the arrest was recorded as taking place at a "protest."

Please provide data by calendar year.

(2)

For each wrongful arrest when "protest" was recorded as part of the arrest, or the arrest was recorded as taking place at a "protest", please can you provide the offence under which the arrest was made, e.g. the offence of locking on; assaulting an emergency worker.

(3)

Between 1 January 2022 and 1 January 2025, how much compensation has your force paid out to victims of wrongful arrest, when “protest” was recorded as part of the arrest, or the arrest was recorded as taking place at a “protest.”

Please provide data by calendar year.

I would like to receive the information electronically. If you feel that a substantive response to this request is not possible within a reasonable time frame, or the request is too broad or too vague, I would be grateful if you could contact me, either by email or telephone (07723324240) and provide assistance as to how I could refine the request.

Request 2

Dear Information Governance Officer

This is a request for information according to the Freedom of Information Act 2000.

It relates to arrests made, and restrictions imposed, by your force under the Police, Crime, Sentencing and Courts Act 2022.

Please note there are four parts to my request.

(1)

In the time period 28/06/2022 up to 01/01/2025, on how many occasions has your force used the powers allowed for in Section 75 of the Police, Crime, Sentencing and Courts Act 2022: Offences under sections 12 and 14 of the Public Order Act 1986?

Sections 12 and 14 of the 1986 Act (as amended by the Police, Crime, Sentencing and Courts Act 2022) allow the police to impose any type of condition on a public procession or public assembly necessary to prevent: significant impact on persons or serious disruption to the activities of an organisation by noise; serious disorder; serious damage to property; serious disruption to the life of the community; or if the purpose of the persons organising the protest is the intimidation of others with a view to compelling them not to do an act they have a right to do, or to do an act they have a right not to do.

(2)

In the time period 28/06/2022 up to 01/01/2025, how many arrests has your force made under Section 78 of the Police, Crime, Sentencing and Courts Act 2022: the offence of intentionally or recklessly causing public nuisance

(3)

In the time period 28/06/2022 up to 01/01/2025, on how many occasions has your force used the powers allowed for in Section 79 of the Police, Crime, Sentencing and Courts Act 2022: imposing conditions on one-person protests?

(4)

In the time period 12/05/2022 up to 01/01/2025, how many arrests has your force made under Section 80 of the Police, Crime, Sentencing and Courts Act 2022: wilful obstruction of a highway?

To aid you with your response, I have attached a spreadsheet that you can complete.

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 Categories for the offence(s) you have stated above within request 2. Although it's possible to follow an arrest through to a recorded crime and the police outcome per individual, it's not possible to retrieve electronic statistics. Therefore in order to ascertain if any relevant arrest information is recorded, a manual review of all arrest records would be required. This would clearly take far longer than the 18 hours 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, if you omit Request 2, a search can be conducted for the questions within request 1.

If this would assist you, 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