



Your reference: N/A

Our reference: FOI_25_0012

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 24/01/2025

Dear

Gloucestershire Constabulary Freedom of Information request FOI_25_0012

On 06/01/2025 you sent an email constituting a request under the Freedom of Information Act asking the following:

With reference to any custody images of people who have not been charged or convicted that are currently being stored in the police national database, please could you give me a breakdown by religion and ethnicity?

If the data is held, please could you give me two separate breakdowns (a column for religion and a column for ethnicity)? If information on religion is not recorded, please could you just give me a breakdown by ethnicity?

If this information is not held, either entirely or partly, please could you advise me whether it might be recorded or held by another body?

Further emails were received from you on 07/01/2025 for further details to be added to your request which were as follows:

Please can I add to my request? If possible, in the breakdown I've asked for by religion and/or ethnicity, please could you also include a brief note to indicate how long each person's image has been on the database? Additionally, if it is within the time and cost limit, please could you also include a note about whether each one has been cleared or if they are still awaiting trial?

Sorry, I'd like to make a correction in my request from the police national database to your locally held database please.

Below is my amended request in full. Please let me know if you need any further clarification from me.

With reference to any custody images of people who have not been charged or convicted that are currently being stored in your locally held database, please could you give me a breakdown by religion and ethnicity?

If the data is held, please could you give me two separate breakdowns (a column for religion and a column for ethnicity)? If information on religion is not recorded, please could you just give me a breakdown by ethnicity?

Please could you also include a brief note to indicate how long each person's image has been on the database? Additionally, if it is within the time and cost limit, please could you also include a note about whether each one has been cleared or if they are still awaiting trial?

Ideally I'd like to get information about all images currently stored on your database at the moment, but if a timeframe is required, please could you provide information for images captured from 1 January 2020 to the date of this request?

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

Unfortunately there is no electronic search which can be done to extract the ethnicity of an individual in a custody image we also do not record the religion. The only way of trying to obtain the ethnicity would be to manually review each custody record of an individual. This would involve the review of thousands of records and would therefore take far longer than the 18 hours prescribed by 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.

Section 16 – unable to assist

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act.

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