



Your reference: N/A
Our reference: FOI_2023.1219
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 19/01/2024

Dear

Gloucestershire Constabulary Freedom of Information request 2023.1219

On 19/12/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

To Whom It May Concern

Please could let me know the number of formal complaints that have been made against Officers about their use of Stop & Search powers since 2014.

Also, for the same period, please indicate how many of these complaints were scrutinised by your relevant scrutiny panel.

Please provide the information broken down by year. (The duration of the complaint investigation or end date would also be useful).

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

Unfortunately, it is not electronically possible to search for the information you have requested in regards to the number of complaints have been made against Officers about their use of Stop & Search powers since 2014. In order to identify and retrieve the requested information, a manual review of all PACE complaint with the relevant factors of stop and search as there is no specific tag/factor to stop and search. A manual review would exceed the 18 hours as prescribed by Section 12 of the Freedom of Information 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.

Providing Information Outside of the Act

By way of assistance and although excess cost removes the Force's obligations under the Freedom of Information Act, we have supplied the information relevant to your request which has already been retrieved. We trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Following receipt of your request, I can confirm that this has been sent to the relevant department, who have confirmed that the Stop Search Scrutiny Panel do not review stop search complaints which have been sent to the Professional Standards Department or the Public Feedback team, therefore the answer for this is zero (0).

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. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

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