



Your reference: n/a

Our reference: FOI_24_0712

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 29/08/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0712

On 29/07/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Custody Records and PACE Code C Compliance:

1. Has your police force previously allowed (or otherwise permitted), and/or does it currently allow (or otherwise permit), the use of **ellipses** ("...") within custody records? Please confirm this explicitly with a 'yes' or a 'no' as your response.

Statutory Requirements and Compliance:

2. Please provide a copy of your internal guidelines, guidance, policies, and procedures that relate to the accurate and complete recording of your Force's custody records in accordance with PACE Code C.

3. Provide a copy of the specific internal directive, policy, guidance, and procedures (created and or updated within the last 5 years) that detail the permissible use of ellipses within your Force's custody records under your Force's internal guidelines and policies?

Audit and Oversight:

4. Have there been any internal or external audits, reviews, or assessments of your Force's custody record practices (within the last 10 years or alternatively, and **in the public interest, such lesser period or reduced outer limit of what your Force considers to be a reasonable time- frame**)? If so, please provide copies of these documents.

5. Has there been any correspondence, guidance, or instructions from oversight bodies such as the Independent Police Complaints Commission (IPCC), Independent Office for Police Conduct (IOPC) or Home Office regarding your Force's custody records? If so, please provide copies of these documents.

Additional Information:

6. Please include all **disclosable** correspondence, directives, or communications which you hold that clarify the **permissible practices** for recording information in custody records under PACE Code C.

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

Gloucestershire Constabulary can confirm that the information requested for questions 4, 5 and 6 is not stored in an easily retrievable format. In order to provide you with a response to questions 4, 5 and 6 would require us to manually canvass all senior officers (regardless of their current role) within Gloucestershire Constabulary. This would be to determine if these officers have ever had oversight of custody and therefore, if they are aware of any documentation. These documents, if located, would need to be manually reviewed to ascertain if it is relevant to your request. This would therefore take longer than the 18 hours prescribed by 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.

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.

1 & 3. – There is no specific policy and therefore, there is no recorded information that can answer question 1.

2. – This is PACE Code C and is available in the public domain.

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