



Humbleside Police
Corporate Development Branch
Information Compliance Unit
Priory Road
Kingston Upon Hull
HU5 5SF
Tel: +44 (1482) 578006
Fax: +44 (1482) 305002

Your Ref:
Our Ref: F-2013-00783

31 May, 2013

Dear XXXX

FREEDOM of INFORMATION ACT 2000 Reference No: F-2013-00783

Thank you for your request for Information, received at this office on 02 May, 2013, in which you requested details of the following:

- 1) How many police officers from your force have been arrested for each of the years 2009, 2010, 2011, 2012 and so far in 2013?
- 2) What were they arrested for?
- 3) How many police officers from your force were charged with a crime for the same period, again broken down by year?
- 4) For the officers who were charged, please could you tell me their name, rank and what they were charged with? Please bear in mind the Association of Chief Police Officers guidance in respect to naming individuals on charge and the fact that Warwickshire Police have today admitted they were wrong not to name an officer charged with stealing (see link)

<http://www.telegraph.co.uk/news/uknews/crime/10032920/Police-force-in-secrecy-row-admits-it-was-wrong.html>

- 5) For the same period, again broken down by year, can you tell me the names and rank of the officers convicted, what they were convicted for and when they were convicted.

If any officers included in your response to question 1 have left the force before being charged or convicted, please include them in the responses to questions 3, 4 and 5.

The Freedom of Information Act requires that this request is dealt with in a manner that is motive and applicant blind. A disclosure under this legislation is considered a disclosure to the world and is considered to be on the basis that it is in the public interest.

This response is unique to Humberside Police and you are advised not to compare this like for like with any other force's response you receive.

Humbleside Police Response

Please see the relevant data attached.

Chief Constable Ms J Curran Deputy Chief Constable D J Griffin QPM, MA
Assistant Chief Constable (Operations Support) A Leaver Assistant Chief Constable (Operations) S M Donald QPM, MA
Assistant Chief Officer (Support) P S Goatley BA (Hons), CPFA Assistant Chief Officer (Human Resources) I Watson MBA, MSc, FCIPD
Web site: www.humbleside.police.uk

Please note after review, it has been determined that to disclose the names of the officers who have been charged and or convicted, whose details have not been made available publicly (which can be located via internet searches) would engage s40(2) of the Act. Although s40(2) is an absolute exemption and there is no requirement for me to conduct a Public Interest Test (PIT) I am satisfied that to disclose their names would breach the 1st principle of the Data Protection Act, fair and lawful processing.

I provide ACPO's current view on this matter naming people who have been charged.

<http://www.acpo.presscentre.com/Press-Releases/ACPO-position-on-naming-people-who-have-been-charged-219.aspx>

Please also note in respect of court reporting the ICO has made the following comments in a recent decision notice FS 50358355, in particular paragraph 19.

... "The Commissioner would point out that although cases in court in open session are deemed to be in the public domain, once the case is decided, and the file closed, the information regarding the case is no longer in the public domain".

In accordance with s17 of the Act this represents a refusal notice for your request.

Should you need to discuss this further please contact James Green, Information Compliance Officer on the above details.

Yours sincerely,

James Green
Information Compliance Officer

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File classification: NOT PROTECTIVELY MARKED - NO DESCRIPTOR

Humberside Police – Freedom of Information Complaints Review Procedure

Why Have A Complaints Process?

Humberside Police is committed to delivering an open and transparent service whenever possible and it is our intention to commit to the principles of openness embodied in the Freedom of Information Act. We will release information to the greatest extent possible, consistent with the public interest, however we may withhold information if we consider its release would cause significant harm.

If information within a document is withheld, it will be clearly marked to show where information has been removed and the legal exemption we have used. If we decline to supply all or part of any information you have asked for we will notify you in writing giving our reasons based upon legal exemptions contained within the Freedom of Information Act.

If you are not satisfied about the way in which your Freedom of Information request has been handled you have the right to appeal. This information has been designed to help you to understand how to complain to Humberside Police. Using this process will not affect your right to complain directly to the Information Commissioner if you feel we have not complied with our obligations under the Freedom of Information Act.

Who Can Complain?

Anyone who has made a Freedom of Information request in writing to the Force can complain. If you have requested information and you are not satisfied with the way we have dealt with it, you can use the complaints process to have it looked at again. If someone who requested information would like to complain but cannot do so themselves, you can complain on their behalf but it will help us if you make it clear that you are doing so.

What Can I Complain About?

If you are not satisfied with the way we have handled your request, with the fee we have charged, or with the reasons we have given for refusing to provide information, you have the right to appeal. You can complain about the range, amount and format of information we have sent following a request. You can also complain about the way a request was handled, for example, the time it took to respond.

How Do I Complain?

To deal with your complaint as quickly as possible, it will help if you can give us as much information as you can about the original request made and the reason for your complaint. Please put your complaint in writing and address it to:

FOI Appeals

[Humberside Police Information Compliance Unit](#)

Police Headquarters

Priory Road

Hull HU5 5SF

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What Happens To My Complaint?

Once we have enough details to identify the request, we will begin the review. The Head of The Information Compliance Unit will normally review your complaint. In the more complex cases a review panel consisting of a number of senior personnel from the Force will re-examine your complaint. We aim to complete the review process within 20 days of receiving your complaint. Upon completion we will send you the findings.

How Will I Be Notified?

Where we have not followed procedures or have failed to provide acceptable quality of service, we will apologise and explain what we will do to ensure this doesn't happen again. If our original decision to withhold information is over-turned on appeal we will send you the additional information immediately. If we believe that our original response was correct we will let you know, and inform you of your options (see below).

What If I'm Still Not Satisfied?

If we have been unable to resolve your complaint and you are not satisfied you can approach the office of the Information Commissioner, who may investigate the matter on your behalf. This option is open to you at all times, but we will endeavour to address your complaint initially, as this may lead to a speedier resolution. It is the Information Commissioner who decides whether to investigate or not. We will co-operate fully with the Information Commissioner.

If you have any further questions about the complaints process, please contact the Information Compliance Unit on 01482 317097 or alternatively you can write to:

Head of Information Compliance Unit
Humberside Police Headquarters
Priory Road
Hull HU5 5SF
Email: Informationcomplianceunit@humberside.pnn.police.uk

Requests for a review by the Information Commissioner should be made in writing directly to:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Phone: 01625 545 700
www.informationcommissioner.gov.uk

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