

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 28 February 2013

**Public Authority:** Home Office  
**Address:** 2 Marsham Street  
London  
SW1P 4DF

#### Decision (including any steps)

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1. The complainant has requested information about serving police officers with criminal convictions and disciplinary offences. The public authority advised him that it does not hold this information centrally and advised him to contact individual police forces. The Information Commissioner's decision is that the public authority does not hold the information.

#### Request and response

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2. There has been some confusion about the background to this request as a similar request was originally made to a different public authority. However, on 23 November 2012, the complainant wrote to this public authority and requested information in the following terms (his capitalisation):

*"1 THE NO OF OFFICERS THAT HAVE BEEN CONVICTED OF A CRIMMINAL [sic] OFFENCE AND WHAT THEY WHERE [sic] CONVICTED OF, and what sentence they received AND IS STILL SERVING IN THE POLICE FORCE.*

*2 the no s of officers that have been accused and THE NO OF OFFICERS THAT HAVE BEEN DISAPLINED [sic] FOR ANY SORT OF CORRUPTION, PERVERTING THE COURSE OF JUSTICE IN ANY WAY SHAPE OR FORM and is still serving in the force".*

3. On 14 December 2012 the public authority advised the complainant that the information was not held centrally and that he would need to contact individual police forces.
4. In view of earlier confusion with the request (not in connection to this public authority) the Information Commissioner has accepted the complaint in the absence of an internal review, a position which this public authority was happy to adopt.

### **Scope of the case**

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5. On 17 December 2012 the complainant contacted the Information Commissioner to complain that he still had not received the information he had requested.
6. The Information Commissioner will consider whether or not the information is held by the public authority.

### **Reasons for decision**

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#### **Section 1 – general right of access**

7. Section 1(1) provides that:

*"Any person making a request for information to a public authority is entitled –*

*(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*

*(b) if that is the case, to have that information communicated to him."*

8. The public authority has explained to the complainant:

*"The Home Office does not hold the information you have requested. This information is not held centrally and you are advised to contact individual police forces who may hold the information".*

9. The complainant has not provided any grounds for disagreeing with the public authority's position.

10. The Information Commissioner notes that on its website the public authority details the types of data it requires from police forces<sup>1</sup> which it will then go on to publish. In respect of police personnel it states the following:

*"Police personnel*

*We collect a wealth of information from police forces in England and Wales on police personnel.*

*Key statistics include:*

- *applications to join a force*
- *recruitment*
- *numbers in post*
- *leavers*
- *promotions*
- *length in service*
- *assaults on police*

*We collect these statistics by rank, gender and ethnicity, and include police staff as well as officers.*

*Police forces in England and Wales employ over 250,000 personnel. This includes police officers, police staff and Police Community Support Officers. The police service also makes use of volunteer police officers known as Special Constables.*

*We publish statistics on police service strength in England and Wales every six months, in January and July, in a Home Office Statistical Bulletin".*

11. This does not include information of the type that the complainant has requested.
12. The Information Commissioner concludes that the public authority does not gather the information requested by the complainant and that it is therefore not able to provide it to him. He further notes that it has advised him to contact individual forces as such information will be held locally by them.

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<sup>1</sup> <http://www.homeoffice.gov.uk/science-research/research-statistics/police/annual-data-requirement-police/>

13. The Information Commissioner concludes that the public authority dealt appropriately with the request and provided sufficient advice and assistance to the complainant to allow him to make his request to the proper public authorities.

## Right of appeal

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14. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
Arnhem House,  
31, Waterloo Way,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504  
Fax: 0116 249 4253  
Email: [informationtribunal@hmcts.gsi.gov.uk](mailto:informationtribunal@hmcts.gsi.gov.uk)  
Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm)

15. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
16. Any notice of appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Jon Manners  
Group Manager  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**