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Humberside Police
Corporate Development Branch
Information Compliance Unit
Priory Road
Kingston Upon Hull
HU5 5SF
Tel: 101

Your Ref:
Our Ref:F-2016-00442

09 June, 2016

Dear Mr Gilliatt ,

FREEDOM of INFORMATION ACT 2000 Reference No: F-2016-00442

Thank you for your request for Information, received at this office on 13 March, 2016, in which you requested details of the following:

Under subsection (2) of Section 26 of the Criminal Justice and Courts Act 2015 a police officer "is liable, on conviction on indictment, to imprisonment for a term not exceeding 14 years or a fine (or both)" if he fails under subsections (5) and (6) of the 2015 Act to exercise a power for the purpose of achieving the detriment of another person.

Within the last few months Humberside police has, to my knowledge, stated the following in relation to two separately reported incidents of perjury; - one committed by North East Lincolnshire Council, and the other by two members of the public in their witness statements which were outright lies.

"Humberside Police do not investigate allegations of perjury unless a request to do so comes from the court themselves."

Please see the link below which is a letter dated 13 January 2016 containing the above statement.

https://www.whatdotheyknow.com/request/humberside_police_wrongly_classi#comment-65970

There has clearly been a failure in exercising police powers in both cases to the detriment of another person for which the officer who has acted improperly is open to a term of imprisonment or a fine (or both).

Please disclose all related material (statutory or policy) which lawfully permits or advises Humberside police that it may refuse to investigate allegations of perjury unless a request to do so comes from the court.





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.

Humberside Police Response

It has been determined that your request does not meet s8(1)(c) of the Act. You are making a statement opposed to requesting held information (s68). Therefore at present your request is not valid and as such is closed.

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





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.

How Long Do I have to Raise A Complaint?

Once we have responded to your Freedom of Information Request you will have 40 working days in which to raise your complaint.

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





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 working 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 578039 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



