



ASSOCIATION OF CHIEF POLICE OFFICERS

c/o PO BOX 481
Fareham
Hampshire
PO14 9FS

Tel: 02380 478922

Email: acpo.request@foi.pnn.police.uk

04/02/2015

Dear Mr Jay

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 000014/15

Thank you for your request for information regarding police cells which has now been considered.

Applicant Question:

1. Have Police Cells in the UK been assessed by the Health and Safety Executive? If so, what are the findings?
2. Is liquid soap or ordinary soap provided to those held in custody in police stations for hand washing purposes after toileting (the toilet we presume is in the cell)?
3. Have police cells been assessed for suitability / safety to mentally ill individuals such as those suffering from minor issues such as a) anxiety, b) claustrophobia and c) depressive illnesses?
4. What is the rate of post traumatic stress disorder following custody in cells?
5. Are they entitled to food, water, medication etc?
6. What are the entitlements and protocol to prescribed medication (for instance, if an ulcer patient needed lanzoprazole)?
7. In Social Media, does the following behaviour amount to acts of harassment:
 - (a) Writing articles online or reporting judgments of the regulatory bodies, courts, employment tribunals.
 - (b) Writing issues related to the factual incidents on police matters.
 - (c) Making complaints to organisations.
 - (d) The right to litigation or threatening to litigate by email.
 - (e) Writing concerns about any professional to Parliament i.e. emails to Parliament.
8. Has any protocol been developed on handling complaints made against evidence based whistleblowers? For instance, does ACPO know the statistics where the police authorities have been used by individuals seeking to attack whistleblowers? By this we mean, abusing the police system to conduct whistleblower reprisal?

9. What is the guidance on cross border arrests?
10. Should one force seek the permission from a second area police before an arrest in that area?
11. If so, what guidance does the ACPO have on this aspect?
12. In circumstances where main carers are arrested, does the police routinely inform the GP about the disabled person left on their own or what guidance has to ACPO developed with respect to arrests of those caring for elderly infirm individuals?

ACPO Response:

1. ACPO does not hold information captured by your request. ACPO does acknowledge there is a recognised specification from the Home Office which recommends the standard cell for police use and is referred to as the 'Lambeth Cell', we are not furnished with any details of any regulatory body and/or Health & Safety Executive that may assess UK police cells and a consideration for the applicant may be to make a request with individual forces.
2. ACPO does not hold information captured by your request. A consideration for you may be to make a request with individual forces.
3. ACPO does not hold information captured by your request. A consideration for you may be to make a request with the Home office.
4. ACPO does not hold information captured by your request.
5. ACPO does not hold information captured by your request. This is because ACPO holds no record which details that any person in custody is entitled to food, water, medication etc. To assist you I have provided a direct web-link to the College of Policing Authorised Professional Practice (APP) on Detention and Custody which details food and drink provisions.
6. ACPO does not hold information captured by your request.
7. A public authority is entitled to treat a request for information as invalid where specific recorded information is not specified. Section 8(1) of the Act sets out the requirements of a valid request for information and says that a request must, amongst other things 'describe the information'.

The Freedom of Information Act affords anyone in the world the right to request information held by a public authority. It does not cover thoughts and/or opinion.

The Freedom of Information Act is not designed to answer general questions. As you will be aware, the legislation places two key obligations on an authority that is covered by the Act when they are considering a request for information. These obligations are set out in section 1(1) and stipulate that when the authority receives a valid request (which is defined elsewhere in the Act) that authority must confirm what information is or is not held (S1(1)(a)) and, if that information is held, it must be provided to the applicant unless it is considered to be exempt information S1(1)(b)).

Is therefore reasonable to assert that if we are unable to meet this obligation under S1(1) of the Act – i.e. in answering a question we are not able to confirm or deny what information is held by ACPO because none has been requested – we cannot handle that request under FOIA. Such questions would be best handled outside of the FOI legislation.

8. ACPO does not hold information captured by your request. In wishing to assist you, I can advise however, that the College of Policing Code of Ethics is a Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales. For your convenience, I provide you with a direct web-link to the College of Policing Code of Ethics:

http://www.college.police.uk/en/docs/Code_of_Ethics.pdf

9. ACPO does not hold information captured by your request.
10. ACPO does not hold information captured by your request.

11. ACPO does not hold information captured by your request.

12. ACPO does not hold information captured by your request.

A consideration for you may be to make a request with individual forces. I wish to stress however, that information can only be provided to you if held in a recorded form at the time of your request. Simply asking questions which require a 'yes' or 'no' answer are not valid FOI requests/

Yours sincerely

Sherry Traquair

Freedom of Information Officer & Decision Maker

www.acpo.police.uk

COMPLAINT RIGHTS

Internal Review

If you are dissatisfied with the response you have been provided with, in compliance with the Freedom of Information legislation, you can lodge a complaint with ACPO to have the decision reviewed within 2 months of the date of this response. The handling of your request will be looked at by someone independent of the original decision, and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to ACPO Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

If, after lodging a complaint with ACPO, you are still unhappy with the outcome, you may make an application to the Information Commissioner at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.