

By Email

Ref: FOI2020-08

26 February 2020

Dear Y Pahe,

FREEDOM OF INFORMATION REQUEST

Thank you for your email of 11 February 2020, in which you ask for information held by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) relating to the use of the Police National Computer.

2. Your request has been handled as a request for information under the Freedom of Information Act 2000. Your request was in the following terms:

I would like to enquire about any documents framing the modalities of access to the information held on the PNC. Ideally, this would include an overarching document that establishes the rules and ethics of use of the PNC, as well as the documents specifically regulating the rules of access to this information for the following bodies:

- the 45 territorial police forces (I expect that they will share a single document)*
- Immigration Enforcement*
- the 3 special police forces (each one might have a different document)*
- Border force*
- the National Health Service*

To give an example that should further clarify my request:

I am aware that the NPCC issued a guidance [1] on the information-sharing between police and immigration enforcement on 07/12/2018, which stated, among other things, that police officers must not access the PNC for the sole purpose of checking a victim's or a witness's immigration status when dealing with a crime report. I expect that the documents governing the access to the PNC by police will contain this rule.

The FoI request could not be fulfilled by the NPCC, as they declared they did not hold this information [2] and directed me towards the Home Office. However, the HMICFRS being the authority in charge of inspecting PNC use [3], I believe it might be able to provide some information.

Notably, in the most recent PNC report [4] by HMICFRS (from 2017), documents such as PNC Code of Practice, User Manual, Code of Connection, as well as PNC trainings, are referred to, but they do not seem to be public. The only information I was able to access relevant to my enquiry is the Home Office's PNC guidance for immigration staff from 2013 [5]

[1]: <https://news.npcc.police.uk/releases/new-guidance-for-officers-on-sharing-information-with-immigration-enforcement>

[2]: https://www.whatdotheyknow.com/request/police_national_computer_access_2

[3]: <https://www.justiceinspectors.gov.uk/hmicfrs/our-work/article/police-national-computer-inspections/>

[4]: <https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/police-national-computer-use-acro-criminal-records-office.pdf>

[5]: <https://www.gov.uk/government/publications/police-national-computer-pnc>

3. We can confirm that HMICFRS does not hold the information which you have requested.

4. The Home Office may be able to help you with your request. The contact details for FOI requests is: foirequests@homeoffice.gov.uk

5. If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference FOI 2020-08. If you request an internal review, please state why it is you are dissatisfied with the response.

it would be helpful if you could say why you are dissatisfied with the response.

Chief Operating Officer
HMICFRS
6th Floor, Globe House
89 Eccleston Square
London
SW1V 1PN
E-mail: HMICFRSFol@hmic.gsi.gov.uk

6. As part of any internal review HMICFRS's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely,

On behalf of

HMICFRS FOI Team

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services