



James Hodson
Information Rights
Bedfordshire Police Headquarters,
Woburn Road, Kempston,
Bedford, MK43 9AX

Telephone: 01234 842547
Email: foi@herts.pnn.police.uk

21st August 2018

Our Ref: FOI2018/04083

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/04083

I write in connection with your request for information received on 25th July. I note you seek access to the following information:

I am sending this request under the Freedom of Information Act to ask for the following information:

- 1) **How many times has a person arrested by your Police Force been detained for more than 24 hours whilst waiting for a mental health trust to carry out an assessment of the person concerned for the years:**
 - a. 2014
 - b. 2015
 - c. 2016
 - d. 2017
 - e. 2018 so far

- 2) **How many times has your Police Force used Section 136 of the Mental Health Act to detain somebody who was already in police custody for the years:**
 - a. 2014
 - b. 2015
 - c. 2016
 - d. 2017
 - e. 2018 so far

- 3) **How many times has a person detained by your Police Force under Section 136 of the Mental Health Act been held more than 24 hours waiting for a mental health trust to carry out an assessment of the person concerned for the years:**
 - a. 2014
 - b. 2015
 - c. 2016
 - d. 2017
 - e. 2018 so far

Please breakdown the figures given by the a) age of the detainee; b) gender of the detainee; c) the reason for the delay and for Q1 & 3 - the total time each detainee was held in police custody.

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

Response – Hertfordshire Constabulary do not centrally record the information you have requested. Custody records are archived in paper format and not digitally. Therefore each custody record would require a manual check to see if it is relevant to your request, to which there are thousands. This would vastly exceed the 18 hours as stated in the Freedom of Information Act.

Unfortunately this means it is not possible to suggest a way to refine this request, as even if the date range were reduced it would still require hundreds of records to be manually checked.

We therefore, consider that the cost of complying with your request for information would exceed the appropriate limit of £450 as has been stated in the Freedom of Information (Fees & Appropriate Limit) Regulations 2004.

Section 12(1) of the Freedom of Information Act 2000 provides that –
“Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.”

Section 17(5) of the Freedom of Information Act 2000 requires Hertfordshire Constabulary, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice under Section 12 of the Freedom of Information Act.

The numerical data presented in this response is an un-audited snapshot of un-published data sourced from "live" systems and is subject to the interpretation of the original request by the individual extracting the data.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.