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PO14 9FS

Tel: 02380 478922

Email: npcc.foi.request@npfdu.police.uk

03/11/2023

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 319/2023

Thank you for your request for information regarding a PNC 'arrested' definition, which has now been considered.

Applicant Question:

Information Request – Definition of "Arrested" on PNC Records

I am writing to request information under the Freedom of Information Act 2000. I am interested in obtaining a clear and precise definition of the term "Arrested" as used in Police National Computer (PNC) records.

Specifically, I am seeking the following:

1. The official definition of the term "Arrested" as it appears on an individual's PNC record.
2. Any guidelines or policies that govern the notation of an individual as "Arrested" on PNC records.
3. How the term "Arrested" on PNC records is utilized by law enforcement agencies in practice.
4. Any additional information that clarifies the distinction between being "Arrested" and other notations on PNC records.

NPCC Response:

The NPCC does hold some recorded information captured by questions 1, 2 and 4 of your request. Information relevant to your request is captured within the PNC Manual.

The information requested has been withheld under Section 21, Reasonably Accessible by Other Means, as it can be located within the public domain via an online search. However in wishing to assist you, a previous version of the PNC Manual is [available here](#) – with information captured under Chapter 12, Section 6 - ARREST/SUMMONS REPORT FIELD RULES (PDF pg. 421/Manual pg. 345). My colleagues have confirmed that although there is now an updated version of the PNC Manual available, this information has not changed.

The NPCC does not hold any other information relevant to this request, other than the data captured within the PNC manual.

The NPCC has a legal obligation to try and advise and assist you further with your request; for more information on the legislation please see Annex A.

Outside of the Freedom of Information Act, the legislation outlining the circumstances under which an individual can be arrested is outlined in Part III of the Police and Criminal Evidence Act 1984.

[Police and Criminal Evidence Act 1984 \(legislation.gov.uk\)](#)

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Finally, the processing of PNC data is underpinned by the PNC and LEDS Code of Practice which is available on the College of Policing's website:

[Code of Practice for the Police National Computer \(PNC\) and the Law Enforcement Data Service \(LEDS\) | College of Policing](#)

You may wish to direct your request to individual forces in relation to question 3 of your request. You can do this on one email to multiple forces who each have responsibility to respond to you. Unfortunately, I do not hold a list of all forces public facing contact details, however their details can be found at [Contact us | Police.uk \(www.police.uk\)](#).

Yours sincerely

Fiona Greenlees

NPCC Freedom of Information Officer & Decision Maker

www.npcc.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 NPCC to have the decision reviewed within 20 working days 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 NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

If, after lodging a complaint with NPCC, 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.

Annex A

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

The legislation - Section 21 Information reasonably accessible to the applicant by other means

- (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.
- (2) For the purposes of subsection (1)—
 - a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
 - b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

S21 is an absolute exemption and there is no requirement to conduct a public interest test.

Legislation – Section 16

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.