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16/05/2025

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 2235/2025**

Thank you for your request for information regarding criminal record retention and weeding compared with other countries in Europe; which has now been considered.

**Applicant Question:**

Dear ACRO,

Please treat this request in accordance with the Freedom of Information Act.

As part of my dissertation I'm comparing the UK's approach to criminal record retention and weeding compared with other countries in Europe and discussing how the UK's approach may impact its citizens.

One area I am working on at present is the sharing of conviction information of UK nationals with 3rd countries, especially those outside of what was the UK's involvement in SIS - in particular I'm interested in data sharing with Australia, USA and New Zealand.

I came across this successful FOI however it is some years old and doesn't fully answer my questions.

<https://www.gov.uk/government/publications/access-by-the-us-authorities-to-information-held-on-the-police-national-computer/access-by-the-us-authorities-to-information-held-on-the-police-national-computer>

1, Please provide the policy manual extract for sharing of criminal conviction and intelligence with 3rd countries (foreign states)

If the below questions are not answered in the policy manual (or similar) please answer these additional questions.

2, For information to be shared must the UK citizen be a suspect of an offence in a foreign jurisdiction. Or would the information be provided for other purposes (immigration, employment etc)

3, When sharing information with a 3rd country does the Home Office conduct filtering? If so if this according to the Rehabilitation of Offenders Act, ACRO step down model etc.

4, Is only conviction information shared or also police intelligence or arrests that resulted in no conviction.

5, is it still the position as per the earlier FOI requests that 3rd countries don't have direct access to PNC or bulk extracts from its databases?

6, Who is the agency in the UK responsible for receiving and answering requests for UK criminal records checks by 3rd countries.

7, please provide the number of disclosures of criminal records to 3rd countries for the last 3 years.

Please break this down into requesting country and reason for disclosure (criminal investigation, immigration, employment, pro-active disclosure)

**NPCC Response:**

The NPCC does hold some information captured by your request.

1. The NPCC does not hold a 'policy for the extraction of criminal conviction and intelligence with the 3<sup>rd</sup> countries (foreign states.'

In wishing to assist you, outside of the Freedom of Information Act I can confirm that the ACRO Section 22a Collaboration Agreement ([available on the website](#)) of the Police Act 1996 is an agreement that provides ACRO the authority for overseas criminal record exchange:

Schedule 1, Section 3:

3. Where necessary the activities to be carried out by ACRO will require inputting or extracting information held on the Police National Computer (PNC), the Scottish Criminal History System (CHS) and Causeway System (CRV) in Northern Ireland. It will also involve any research work to strengthen information about identity and includes any subsequent alteration or deletion of stored material or records held on national police systems which may be necessary and co-ordination with local police forces and other public agencies concerning public protection measures. ACRO will liaise with relevant colleagues in England and Wales, Scotland and Northern Ireland to ensure that tasks and responsibilities are properly and effectively distributed between the various jurisdictions where appropriate.

Schedule 1, Section 4:

4. **UKCA-ECR AND NON EU ACTIVITIES**

The activities to be provided by ACRO in relation to the UKCA-ECR and Non EU Activities shall be:

- 4.1 discharging the United Kingdom's responsibilities under EU Council Decisions 2009/315/JHA on the exchange of information extracted from the criminal record and 2009/316/JHA European Criminal Record Information System (ECRIS) plus EU Framework Decision 93;
- 4.2 non-EU criminal records exchange;
- 4.3 criminal record exchange and case management in relation to those extradited from the UK;
- 4.4 criminal record exchange and case management of UK nationals who have been arrested or detained overseas and have sought consular assistance, as notified to ACRO by the Foreign and Commonwealth Office (FCO); and
- 4.5 any other exchange as may be authorised in writing by the Home Office and agreed by the ACRO/UKCA Governance Board.

**Please note** that where there is mention of the EU Council Decisions 2009/315/JHA and 2009/316/JHA, these have now been superseded by the EU-UK Trade and Cooperation Agreement as transposed into the European Union (Future Relationship) Act 2020 into UK law.

ACRO additionally share information directly *with individuals* to whom the information relates through the application process of Police Certificates which is hosted by the ACRO National Disclosure Unit. This process outlined on the ACRO website: [Police Certificates](#). A copy of the ACRO Step Down Model is available to download [here](#) – this is the model which determines the disclosure of information on such a certificate.

2. I can confirm the following information is held which answers this part of your request.

Page 8 of the 'ACRO International Services NEU-ECR Request In Process Guide' outlines the following:

*A Request In (RI) involves a subject who has come to a foreign authority's attention, this can include unknown persons or bodies found as well as people who commit offences overseas. The foreign authorities will make a request through official agencies for a subject's criminal history that is on record within the UK. The subjects may be foreign nationals or UK citizens.*

And as above, ACRO additionally share information directly *with individuals* to whom the information relates through the application process of Police Certificates which is hosted by the ACRO National Disclosure Unit. This process outlined on the ACRO website: [Police Certificates](#). A copy of the ACRO Step Down Model is available to download [here](#) – this is the model which determines the disclosure of information on such a certificate.

As stated on the ACRO website:

*The Police Certificate is for people who want to emigrate, travel, need a visa to live and/or work abroad, or are looking to obtain citizenship or residency in another country.*

*The Police Certificate will show:*

*applicant's personal details*

*photograph*

*applicable convictions, cautions, reprimands, and warnings in line with the [ACRO step-down model](#)*

*details of the applicant's impending prosecutions and past convictions*

*if overseas authorities have shared criminal records with the United Kingdom, these may appear on the certificate*

3. The NPCC does not information related to Home office policies. You may wish to direct this question to the Home Office FOI team. Guidance on how to do so can be found at the link below:

[How to make a freedom of information \(FOI\) request: How to make an FOI request - GOV.UK](#)

Outside of the Freedom of Information Act, I can confirm that in relation to the Requests In process, information may be redacted and this is determined on a case by case basis as per 8.2 of the process guide:

*If the PNC Print is going directly to a country, you will need to redact out Foreign Convictions, Impending Prosecutions and Non-Disclosable offences from the PNC Print.*

As the requestor has referenced the 'ACRO Stepdown Model' please be advised that only ACRO Police Certificates and International Child Protection Certificates (ICPC) are issued in accordance with the ACRO Step Down Model – please see attached. Further information on the Police Certificates and ICPC processes can be found on the ACRO website: [Police Certificates](#) [ICP Certificates](#).

4. In respect of the Request In process, ACRO can confirm that there is no further direct 3<sup>rd</sup> country engagement outside of sharing agreements. The intelligence is not owned by ACRO and therefore permission would require to be sought from the Force that owns this therefore, the ACRO intelligence unit will signpost to the relevant Force.

As recorded on the ACRO website for ICPCs, relevant police intelligence may be disclosed for that product only. [Website](#) extract below:

*The International Child Protection Certificate (ICPC) is for people who are either UK nationals or have previously lived in the United Kingdom, the Channel Islands or the Isle of Man and want to work with children and/or vulnerable adults overseas.*

*In a joint initiative, the National Crime Agency (NCA) and ACRO developed the ICPC to help protect children and vulnerable adults from offenders who travel overseas to abuse vulnerable children and/or adults through employment, volunteering, and charity work.*

*The ICPC confirms whether you have a criminal history and provides details including relevant conviction and non-conviction data.*

*The ICPC will show:*

- *the name of the organisation*
- *applicant's personal details*
- *photograph*

- applicable convictions, cautions, reprimands, and warnings in line with the [ACRO step-down model](#)
- relevant police intelligence

*if overseas authorities have shared foreign conviction information with the United Kingdom, these may appear on the certificate.*

- ACRO does not hold a record which provides an answer to your specific question. The NPCC cannot corroborate a Home Office Freedom of Information response. You are not seeking a record, you are asking a question on the details within a Home Office response.

Outside of the Freedom of Information Act, my colleagues provided from their knowledge that ACRO confirm that PNC is the UK's criminal register and ACRO have direct access to facilitate requests on a case by case basis and extract information to respond to 3<sup>rd</sup> countries. 3<sup>rd</sup> countries do not have direct access to PNC or bulk extracts. The NPCC Lead for the PNC would be the responsible party who would assess any applications for direct access to the PNC, and therefore may be best placed to provide further information on this point.

- ACRO does not hold a record which provides an answer to your specific question. However as confirmed on the ACRO website (<https://www.acro.police.uk/s/acro-services>) 'ACRO provides services including criminal records exchange with EU and non-EU countries'.
- Requests In volumes to 3<sup>rd</sup> countries provided below, which are all for criminal proceedings.

Country	2022	2023	2024	TOTAL
Australia	7	1	6	14
Canada	0	1	2	3
Gibraltar	128	139	88	355
Iceland	0	0	1	1
Monaco	1	0	0	1
New Zealand	0	1	3	4
North Macedonia	0	0	2	2
Norway	0	1	4	5
San Marino	0	0	1	1
Switzerland	1	1	4	6
Trinidad and Tobago	1	0	0	1
United States	0	1	3	4
Total	138	145	114	397

Yours sincerely

Fiona Greenlees  
Freedom of Information Officer & Decision Maker

[www.npcc.police.uk](http://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 40 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.

## **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.

### **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.