

2 December 2024

FOI Ref 17528

Request - You asked us the following:

I am writing with a request for information concerning a death in police custody.

I understand from data provided to me by the Home Office that a Somalian asylum seeker, thought to be a male aged 29, died while in police custody on or around 9th October 2023.

My questions are as follows:

- 1) Did the force record a death/deaths in its custody in September or October 2023?
- 2) If yes, what was the name of the deceased/deceased persons?
- 3) Was a referral(s) made to the IOPC and on what date(s) was this made? Please also provide me with any relevant reference number(s) that would help me identify this case/these cases in subsequent correspondence with the IOPC.
- 4) Was a file/files prepared for the coroner, what was the name of the relevant coroner's court(s), and on what date(s) was this passed to the coroner?

Please ensure this information is provided for each death recorded in September and October 2023.

I would also kindly remind you that information regarding deceased people does not constitute personal information under the terms of GDPR, and the Section 40 exemption of the FOI act would not apply in this instance. I would also point out that while I am aware the IOPC publishes some limited information on deaths in police custody in an annual publication, it does not publish the specific information I have requested here.

I draw your attention to the following from the ICO, which can be found on page 9 of the guidance entitled 'Information intended for future publication and research information (sections 22 and 22A) <https://ico.org.uk/media/for-organisatio...> :

"A general intention to publish some information will not suffice. It is not enough for the public authority to note that it will identify some, but not all, of the information within the scope of the request for future publication.

"The information that the public authority intends to be published must be the specific information the applicant has requested."

The Section 22/22A exemptions would therefore not be applicable to this request.

We received your request on 27/11/2024 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

Staffordshire Police does not hold the requested information.

1. Did the force record a death/deaths in its custody in September or October 2023? – **No information held.**
2. If yes, what was the name of the deceased/deceased persons? – **No information held.**
3. Was a referral(s) made to the IOPC and on what date(s) was this made? Please also provide me with any relevant reference number(s) that would help me identify this case/these cases in subsequent correspondence with the IOPC. – **No information held.**
4. Was a file/files prepared for the coroner, what was the name of the relevant coroner's court(s), and on what date(s) was this passed to the coroner? – **No information held.**

Please note that by death in custody, we are referring to anyone in our cell blocks or whilst in custody with an officer, for example, under arrest or detained.

Advice and assistance

In order to comply with our obligations under Section 16 of the Act, the obligation to provide advice and assistance, please see below.

The IOPC publish statistics on deaths in police custody annually, the 2023/24 annual report is linked here: <https://www.policeconduct.gov.uk/publications/annual-deaths-statistics-data-tables-23-24>.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ



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The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit