

14 November 2024

FOI Ref 17419

Request - You asked us the following:

I am seeking up-to-date information about the proportion of police detentions/interviews of suspects and voluntary interviews in which an appropriate adult was provided and for whom legal advice was requested and obtained as recorded by officers for both adults and juveniles. I would be grateful if you could provide the following data for your force area, for each year for the years ending 9 March 2021, 2022, 2023 and 2024:

In relation to adults, please could you indicate the total number of

- (1) authorised detentions
- (2) interviews under arrest and
- (3) voluntary Interviews.

Then for each whether

- (a) A pre-interview Risk Assessment was conducted
- (b) An appropriate adult was required
- (c) An appropriate adult was provided
- (d) Legal advice was requested
- (e) Legal advice was provided

In relation to juveniles, please could you indicate the total number of

- (1) authorised detentions
- (2) interviews under arrest and
- (3) voluntary Interviews.

Then for each whether

- (a) A pre-interview Risk Assessment was conducted
- (b) An appropriate adult was required
- (c) An appropriate adult was provided
- (d) Legal advice was requested
- (e) Legal advice was provided

CLARIFICATION RECEIVED ON 12/11/2024

By the year ending 9 March, I mean 10 March to 9 March.

We received your request on 30/10/2024 and have processed this under the Freedom of Information Act (FOIA).

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

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemptions have been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.

Section 12(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 prescribed limit'.

The above information has been withheld for the following reasons:

There is no method by which we can readily retrieve information from our systems to answer this request. For the time period requested, there have been in excess of 33,300 arrests/authorised detentions/voluntary interviews and the records for each of these would require a manual review in order to determine whether legal advice or an appropriate adult was requested.

From dip sampling, it has been estimated that it would take approximately 4 minutes to review each record to answer this request, this would equate to over 2,220 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the FOI Act by some considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

In order to refine your request, we would be able to provide data relating to the number of arrests, interviews under arrest and voluntary interviews for both adults and juveniles. We would also be able to provide data where an appropriate adult and legal advice was provided for each year ending 9 March 2021, 2022, 2023 and 2024.

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

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