

28 November 2024

FOI Ref 17516

Request - You asked us the following:

For the last three calendar years or 12-month periods ending in 2021, 2022 and 2023, please can you tell me, per year

1. How many intimate searches were conducted?
2. How many intimate searches were conducted on biological males?
3. How many intimate searches were conducted on biological females?
4. How many intimate searches were conducted on biological males by biological males?
5. How many intimate searches were conducted on biological males by biological females?
6. How many intimate searches were conducted on biological females by biological females?
7. How many intimate searches were conducted on biological females by biological males?
8. How many intimate searches were conducted on biological females by biological males who identify as women (without a gender recognition certificate)?
9. How many intimate searches were conducted on biological females by biological males who identify as women (with a gender recognition certificate)?
10. How many biological males refused to be intimately searched by a female officer?
11. How many biological females refused to be intimately searched by a male officer?
12. How many biological females refused to be intimately searched by a male officer who identifies as a woman (without a gender recognition certificate)?
13. How many biological females refused to be intimately searched by a male officer who identifies as a woman (with a gender recognition certificate)?

Clarification received 27/11/2024:

Further to my recent FOI Request re Intimate Searches please accept the following clarifications.

I only meant to ask the first 13 questions (for each of the last three years). I did not mean to ask 572 questions (and have no idea how that happened!)

I am only interested in PACE code C strip search and intimate body search which has been conducted after detention in the custody suite.

Please accept my apologies for any confusion.

We received your request on 26/11/2024 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 exemption has 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 2,800 person searches whereby an intimate search may or may not have been conducted. In order to confirm whether an intimate search took place, and to determine the gender of the person conducting the search, and whether any detainees refused to be searched based on gender, the report for each search would require manual review. From dip sampling, it has been estimated that it would take approximately 10 minutes to review each record to answer this request, this would equate to over 466 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the Freedom of Information 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.

Unfortunately, we cannot suggest a way in which your request could be simplified or pared down in order to bring it within the confines of the time and cost threshold.

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