



Response Date:01/05/2024

2024/412 - Audits of arrest procedures

In response to your recent request for information regarding;

I'd like to see statistics regarding the number of results of audits done by the police force of the arrests made by their officers (and communications made with members of the public whom these audits determine have been illegal arrests, and subsequent retraining of police officers).

Arrest is a very difficult area to get right - judges have to correct decisions made in court by other judges who have misunderstood when an arrest is allowed by PACE (Metropolis v MR). Which kind of makes it impossible for anyone other than the most senior and experienced police officer to make an arrest - and yet the law says the decision cannot be delegated upwards by the officer making the arrest and must be the sole decision of the arresting officer and then the custody officer.

Consequently, it's crucial that the police force gives very detailed and careful training to their officers that takes into account all relevant case law (eg Alger v Metropolis, Metropolis v MR) and that there are frequent audits that all the arrests that are being made are within the law. Just like you'd do with Health and Safety procedures.

So, you can help me get the data on how often these audits happen and how often it is found that the arrest was illegal. It's your duty to help, and you'll know how to get at the data easily.

First, could you give me the number of arrests that were audited. I assume the very senior police officers will need to see this kind of data frequently - if they don't know that the arrests are being checked and audited, they can have no confidence that the arrest their force is making are legal. Think Key performance indicators.

So please provide the periodic eg monthly figures on arrests, arrest audits and how many of those arrests are considered by the force to have been illegal - that would be a good start. Feel free to go back as far as you can or as time allows. If necessary, I'll send one foI request for each month going back 5 years, but that won't be ideal for either of us.

We have to be cognisant of the amount of time that this request takes, because FOI officers just love to reject the request based on time. So, just get me what info you can on the above

If you can't give me any info at all, then it's kind of looking like a prima facie case that the police aren't auditing their arrests. Crikey. That's very scary.

How many letters or other communications have been sent to members of the public that the police have found through their internal checks to have been arrested illegally. Feel free to go back as far as you can, obviously within the time allowed.

We do not audit arrests, we have provided the number of arrests made below.

We are reactive. If a member of the public complains about an arrest then we will look into it.

Number of monthly arrests/detention volumes going back the last 5 fiscal years ; Apr-19 up to the end of March 2024.

Fiscal Year Month	Arrest Count
2019/01	856
2019/02	829
2019/03	905
2019/04	974
2019/05	915
2019/06	835
2019/07	903
2019/08	881
2019/09	869
2019/10	827
2019/11	788
2019/12	731
2020/01	750
2020/02	836
2020/03	852
2020/04	1064
2020/05	978
2020/06	831
2020/07	818
2020/08	789
2020/09	699
2020/10	679
2020/11	689
2020/12	728
2021/01	751
2021/02	879
2021/03	878
2021/04	877
2021/05	909
2021/06	846
2021/07	879
2021/08	784
2021/09	846
2021/10	790
2021/11	815
2021/12	876
2022/01	866
2022/02	932
2022/03	891
2022/04	1022
2022/05	960
2022/06	796
2022/07	860
2022/08	836
2022/09	835
2022/10	926

2022/11	934
2022/12	949
2023/01	957
2023/02	1056
2023/03	1019
2023/04	1038
2023/05	1101
2023/06	938
2023/07	908
2023/08	936
2023/09	986
2023/10	916
2023/11	915
2023/12	975

THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST
UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT 30/04/2024