

Date: 23 March 2021
Our Reference: FOIA-2021-028

RE: Freedom of Information Act 2000 Request

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 14 March 2021 which stated:

"I am aware of ACPO guidance published in 2006 regarding seizing of motor vehicles.

I would like to submit an FOI request to see subsequent and latest guidance issued by College of Policing on this matter"

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

It is important to note that a freedom of information request is not a private transaction. Both the request itself and any information disclosed are considered suitable for open publication, that is, once access to information is granted to one person under the legislation, it is then considered public information and must be communicated to any individual should a request be received. In light of this, our responses and disclosures are published on our external website at a later date.

Decision

After conducting careful searches for any information relevant to your request I can confirm that there is information held that relates to your request however this is exempt from disclosure under section 21(1) of the FoIA 2000 as it is reasonably accessible by other means.

The Authorised Professional Practice (APP) on Roads Policing provides our current guidance on this subject. This is readily available in the public domain and can be accessed at the following link: <https://www.app.college.police.uk/app-content/road-policing-2/>. Seizing vehicles is specifically addressed under the heading Disrupting Criminality.

I trust this letter answers your questions. Your rights are provided below.

Yours sincerely,

Sarah Lawrence | Legal Advisor
Information Management and Legal Team
College of Policing

Email: FOI@college.pnn.police.uk

Website: www.college.police.uk

Rights

If you are dissatisfied with the handling procedures or the decision of the College of Policing made under the Freedom of Information Act 2000 (the Act) regarding access to information you can request that the decision is reviewed internally.

Internal review requests should be made in writing, within **forty (40) working days** from the date of the refusal notice, and addressed to: FOI team, Central House, Beckwith Knowle, Otley Road, Harrogate, North Yorkshire, HG3 1UF or email: FOI@college.pnn.police.uk

In all possible circumstances the College of Policing will aim to respond to your request for internal review within **20 working days**.

The Information Commissioner

If, after lodging an internal review request with the College of Policing you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/for-the-public/official-information/>.

Alternatively, write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113