

FOI Disclosures November 2022

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This month we have responded to questions relating to the following topics:

- [Investigation report following death of Andre Moura](#)
- [Complaints relating to Operation Fresco, Venetic and Encrochat](#)
- [Physical off site storage](#)

If you require a full copy of any of the embedded attachments, please contact Requestinfo@policeconduct.gov.uk quoting the reference number from the relevant response.

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| <u>Ref</u> 5023797 <small>Back to top</small> | <u>Investigation report following death of Andre Moura</u> |
| <u>Request</u> | <i>Please provide a copy of the full IOPC investigation report into the death of Andre Moura. Andre Moura died whilst in the custody of Greater Manchester Police on the 6th July 2018.</i> |
| <u>Response</u> | <p>We have decided that you are not entitled to this information because it is exempt under sections 30 and 40 of the FOIA.</p> <p>In the case of information falling within the terms of section 30, we are refusing your request because the public interest in maintaining the exemption outweighs the public interest in disclosure.</p> <p>We can confirm that the Coroner's Inquest relating to the death of Mr Moura has been adjourned and is not expected to resume before the end of November 2022.</p> <p>We consider that it would not be in the public interest to disclose information before the matter is concluded as disclosure of this particular information would in our view be prejudicial to these proceedings. In addition, a possible outcome of the inquest is a review of the evidence by the CPS which would have the potential to lead to a further prosecution.</p> <p>There is considerable public interest in ensuring that investigations, proceedings and prosecutions are conducted effectively. This requires the avoidance of prejudice to law enforcement, protection of witnesses and a need to maintain the independence of the judicial processes. The public interest in maintaining the exemption in relation to information that may be critical to formal proceedings is of very significant weight. In particular, the disclosure of information that may prejudice an inquest and subsequently any potential future CPS review would be strongly against the interests that this exemption is designed to protect.</p> |

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| | <p>It is likely that significant details of this case will be opened up to public during or after the inquest. In addition, the IOPC will consider the publication of all or some of its report when the related proceedings are complete in line with our publication policy. It is highly likely, therefore, that the public interest in being properly informed about this case will be met by these disclosures.</p> |
| <p><u>Ref</u> <u>5023798</u> Back to top</p> | <p><u>Complaints relating to Operation Fresco, Venetic and Encrochat</u></p> |
| <p><u>Request</u></p> | <p><i>How many complaints relate to Operation Fresco, Venetic and or Encrochat and what do these complaints consist of going back to July 2020 to date.</i></p> <p><i>The number of complaints resolved.</i></p> <p><i>The number of complaints pending.</i></p> <p><i>The number of complaints outstanding.</i></p> <p><i>The forces/Agencies that have complaints against them.</i></p> |
| <p><u>Response</u></p> | <p>We note from online searches that Operation Venetic is a National Crime Agency (NCA) led investigation into criminals using an encrypted communication platform called Encrochat. This information on the NCA website refers.</p> <p>We cannot find any information relating to a police or other law enforcement operation by the name of 'Fresco'.</p> <p>The IOPC does not hold the information you are requesting about Operation Venetic. This is because complaints are recorded by the police force concerned and are not brought to the attention of the IOPC other than in certain circumstances, as defined in the Police Reform Act 2002 (PRA). Only the most serious matters are investigated by the IOPC.</p> <p>The result is that the IOPC becomes involved in only a minority of the police complaints and misconduct cases that fall for consideration under the PRA and we do not hold information about all complaints on any particular subject matter. It is possible that several complaints may have been made in connection with Operation Venetic without any of them being notified to the IOPC.</p> <p>Therefore, only the police can confirm the number of complaints they have recorded regarding the matters you raise in your request. Please note that the Freedom of Information Act does not apply to the NCA.</p> <p>The NCA website confirms that Operation Venetic involved the NCA, Regional Organised Crime Units (ROCU) and police forces. This means that you would have to contact all police forces to find out the total number of complaints they have received about Operation Venetic. Contact details are available here: Contact the police Police.uk (www.police.uk)</p> <p>In addition to asking for information about numbers of complaints you ask "what these complaints consist of". Information relating to security bodies is exempt from disclosure under section 23 of the FOIA. The NCA is a security body under section 23 meaning that there would be no right of access to information about</p> |

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| | Operation Venetic to any extent that it “relates to” the NCA. As Operation Venetic is an investigation led by the NCA, if the IOPC held any relevant information we would be very likely to refuse it under section 23. |
| <p style="text-align: center;"><u>Ref</u> <u>5023785</u> Back to top</p> | <u>Physical off site storage</u> |
| <p><u>Request</u></p> | <p>1: <i>How many physical records (boxes or files) does the organisation currently have in third-party storage facilities?</i> 2: <i>Who is the third-party provider(s) for off-site storage?</i> 3: <i>When did the contract(s) for off-site storage commence?</i> 4: <i>How long is the current contract(s) for?</i> 5: <i>When is the contract renewal expected?</i> 6: <i>What is the estimated contract value for off-site storage?</i></p> <p>7: <i>How many physical records (boxes or files) does the body currently have in organisation owned/leased/managed storage facilities?</i> 8: <i>How many FTE/WTE (please specify) are within the records management team within your organisation?</i> 9: <i>What is the annual budget for the records management function?</i> 10: <i>Who within the organisation is the executive sponsor for records management / who has ultimate responsibility for the function?</i></p> |
| <p><u>Response</u></p> | <p>We have decided that the information relating to parts one and two of your request is exempt by virtue of an exemption under section 31 of the FOIA that relates to law enforcement. We have concluded that the public interest in maintaining the exemption outweighs the public interest in disclosure. We have however responded to your other questions.</p> <p style="text-align: center;"><i>You asked: “1: How many physical records (boxes or files) does the organisation currently have in third-party storage facilities?”</i></p> <p>We have decided that we are not obliged to respond to this question by virtue of an exemption under section 31 of the FOIA. Our specific reasons for refusal are set out in the Annex to this letter.</p> <p style="text-align: center;"><i>You asked: “2: Who is the third-party provider(s) for off-site storage?”</i></p> <p>Iron Mountain (UK) PLC.</p> <p style="text-align: center;"><i>You asked: “3: When did the contract(s) for off-site storage commence?”</i></p> <p>16 January 2021.</p> <p style="text-align: center;"><i>You asked: “4: How long is the current contract(s) for?”</i></p> <p>The contract is for three years (up to 15 January 2024) with an option to extend up to a further four years if deemed necessary.</p> <p style="text-align: center;"><i>You asked: “5: When is the contract renewal expected?”</i></p> <p>By 15 January 2024.</p> <p style="text-align: center;"><i>You asked: “6: What is the estimated contract value for off-site storage?”</i></p> |

£98,280 (inclusive of VAT) for over three years. Information about this contract can be found online via the government contract finder website: [Offsite Archive Records Storage Management - Contracts Finder](#)

You asked: "7: How many physical records (boxes or files) does the body currently have in organisation owned/leased/managed storage facilities?"

We are currently undertaking audits on our information assets and therefore at this time we are unable to provide this information. Due to limitations in our recording system for physical exhibits, we would be unable to confirm the number without manual file scrutiny and validation which, due to the volume of cases would undoubtedly exceed the cost limit prescribed by the FOIA and associated regulations, by a considerable margin.

You asked: "8: How many FTE/WTE (please specify) are within the records management team within your organisation?"

There are currently 19 FTE. We anticipate this rising to 20 FTE at the end of November 2022.

You asked: "9: What is the annual budget for the records management function?"

There is not a separate budget specifically for corporate records management, as it forms part of a larger Data and Information Management budget.

You asked: "10: Who within the organisation is the executive sponsor for records management / who has ultimate responsibility for the function?"

The Deputy Director General, Tom Whiting.