



Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 11th August 2026

Our ref: FOI 2026/621

I write in connection with your request for information, dated 06/07/2026 concerning deaths in police custody.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered, and I am not obliged to supply the information you have requested.

You Wrote:

On 1 April 2009, a Met Police officer struck, what would be, a fatal blow to a newspaper vendor, Ian Tomlinson, during a G20 protest <https://www.bbc.co.uk/news/uk-10728685>. An inquest jury concluded that a police officer unlawfully killed Mr Tomlinson.

Deaths in police custody

I am making this request under the Freedom of Information Act 2000.

All deaths in police custody are referred to the coroner under the Coroners and Justice Act 2009 and to the IOPC under the Police Reform Act 2002. These referrals are statutory. Information provided under statutory compulsion cannot be confidential in the **section 41** sense. UK GDPR and **section 40** do not apply to deceased persons.

Please answer each question separately.

Deaths in custody – annual totals

For each of the following periods:

- 1 January 2020–31 December 2020
- 1 January 2021–31 December 2021
- 1 January 2022–31 December 2022
- 1 January 2023–31 December 2023
- 1 January 2024–31 December 2024
- 1 January 2025–31 December 2025
- 1 January 2026–30 June 2026

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Please provide the number of deaths

- in police custody.
- during arrest or restraint.
- following police contact where the incident meets the IOPC definition of a death in custody.

Demographic data – ethnicity, age and gender

For each death recorded in the periods above, please provide

- ethnicity (IC codes, 18+1, or ONS categories – whichever your force records).
- age at death.
- gender,

This is operational data created by the force. It is not confidential and does not engage section 40 or section 41.

Circumstances of death

For each case, please provide:

- location type (custody suite, police vehicle, public place, hospital after police contact).
- cause-of-death category as recorded by the force.
- whether force was used; if yes, the type of force e.g., taser, restraint, riot shield.
- whether mental health was recorded as a factor.

I am not requesting medical records or confidential clinical information.

Coroner information

For each death, please provide:

- the date the force referred the death to the coroner
- a list of categories of documents supplied to the coroner (for example, custody record, CCTV, officer statements, risk assessments)
- the inquest status (open, concluded, or pending)
- the inquest conclusion, if known to the force

Information supplied to the coroner is provided under statutory compulsion. Section 41 does not apply.

IOPC referral and investigation data

For each death, please provide

- the date of referral to the IOPC.
- the referral category (mandatory, independent, managed, supervised).
- the mode of investigation (independent, managed, supervised, local).
- a summary of IOPC findings held by the force (please provide the IOPC report or a verifiable and working link to that report).
- whether any officer faced misconduct or gross misconduct proceedings and the outcome.
- any learning recommendations issued.
- whether the force implemented those recommendations.

IOPC referrals and investigations are statutory. Section 41 cannot apply.

Ethnicity recording systems

Please provide

- how the force records ethnicity (self-defined, officer-defined, or both).
- any changes in ethnicity recording practices between 2020 and 2026.

Definitions and retention

Please provide

- the force's working definition of "death in custody".
- the retention period for custody-related death records.

Exemptions

If you believe any exemption applies

- identify the precise statutory exemption.
- provide full reasoning where a public interest test is required – and the qualified person who made that decision.

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- disclose all non-exempt information.

Please note

- Section 40 does not apply to deceased persons.
- Section 41 cannot apply to information provided under statutory compulsion to the coroner or IOPC.

Section 12 should not apply because the requested information exists in structured form for statutory reporting. And even if you were to trawl manually, they are so few in number that it will not take you beyond the statutory 18-hours/£450.

Response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

Section 1(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 appropriate limit.

Information relating to any deaths that have occurred during arrest or restraint or following police conduct where the incident meets the IOPC definition of a death in custody is not stored in a way which allows for easy retrieval. I have checked with numerous Departments including Professional Standards (PSD), Health and Safety, I also enquired with a Chief Inspector regarding the Post Incident Procedure (PIP) however the level of detail you are requesting is not recorded within the PIP.

PSD have checked our legacy database, Centurion, however it has limited functionality and is quite a cumbersome tool by which to search for information due to it having a limited number of fields in which it is possible to record specific information. However, there are no fields relevant to your questions from within DSI's (Death or Serious Injury) on Centurion.

Therefore, the only way to obtain this information would necessitate our Professional Standards Team to manually review every DSI case to ascertain what it related to and then retrieve the information you have requested. A search was carried on the number of DSIs for this calendar year so far and they located 25. The PSD Department have assured me that to undertake this part of your request would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits.

Ordinarily under our Section 16 obligation to provide advice and assistance, I would advise you of a way in which to refine your request. However, due to the difficulties as outlined above, I cannot think of a way in which this can be achieved.

Although excess cost removes the Forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I can provide you with is documented below:

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Please provide the number of deaths:

- in police custody. 1 (2024)

Demographic data – ethnicity, age and gender

For each death recorded in the periods above, please provide:

- ethnicity (IC codes, 18+1, or ONS categories – whichever your force records). W1
- age at death 37
- gender MALE

Circumstances of death - The following link will direct you to information provided by IOPC:

[IOPC investigating after Swindon death in police custody | Independent Office for Police Conduct \(IOPC\)](#)

The date the force referred the death to the coroner: 19/05/2024 and conclusion unknown

- the date of referral to the IOPC. 19/05/2026
- the referral category (mandatory, independent, managed, supervised). Mandatory
- the mode of investigation (independent, managed, supervised, local). Independent
- a summary of IOPC findings held by the force (please provide the IOPC report or a verifiable and working link to that report). Please refer to link above
- whether any officer faced misconduct or gross misconduct proceedings and the outcome. No
- any learning recommendations issued. The time stamping of the CCTV system for ease of reviewing footage
- whether the force implemented those recommendations. New CCTV has been installed
- how the force records ethnicity (self-defined, officer-defined, or both). Both
- any changes in ethnicity recording practices between 2020 and 2026. No
- Definition of a death in custody as per college of policing APP - [Deaths in custody | College of Policing](#)

Retention periods:

- Sudden Death reports (Current and historic) – non suspicious - Current : Nationally it is recommended that these records are retained for 12 months after inquest or death certificate issued - However, due to technical constraints with ICT we are unable to set a 12-month retention period so this will default to 6 years locally. Historic: Retained in line with Coroner's retention guidelines.
- Sudden Death reports – suspicious - Case file retain in line with MoPI, or 6 years after inquest, or death certificate issued

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

Section 1(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 appropriate limit.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me, and been considered in the light of your request, within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely

Force Disclosure Decision Maker

Wiltshire Police offer a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN



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Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire 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 to the:
Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

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 Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force 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 twenty 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
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

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Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>