

**Application to Access Your Personal Data**

**F07**

New Mole House, Rosia Road, Gibraltar 🞟 Tel (+350) 200 72500 🞟 [www.police.gi](http://www.police.gi)

**Subject Access Request (SAR) Application**

Gibraltar GDPR Article 15 & Data Protection Act 2004 Section 54

**What is it you want?....**

* **Information about other people** including:
* Information to use in Court;
* Copies of Statements made against you;
* Copies of what you have said about other people.

You will not receive this in response to a Subject Access Request (SAR). If you believe you should be supplied with this information you will need to obtain a Court Order. If you are asking **solely** for information about other people, this is not a SAR and your application will be rejected.

* **A copy of information we hold about you.** Please use this form. Please note that your ‘right’ is to information, not particular documents. Some information may be exempted and we may reject such a request or provide the information in another form.
* **Information for Employment Purposes.**  This is the wrong process. Under the Data Protection Act 2004 - Section 18(5)(a), it is an offence for a person to use a SAR in connection with the recruitment of another person as an employee. If you require a disclosure for employment purposes, please use our [Vetting Application Form](https://police.gi/uploads/Public%20Use%20Forms/Vetting%20Form%20-%20F02.docx).
* **Information for Court.**  This is the wrong process because the information supplied is unlikely to be suitable. In particular, if you are hoping to obtain evidence about other people, we will not supply it. Please apply to the Court.
* **Information to make a complaint to a regulator.**  This is the wrong process. You do not need to obtain information by means of a SAR to supply to a regulator. The regulator will be able to obtain information from us directly.
* **Information about my children.**  Whilst parents may apply on behalf of their children, for the purposes of data protection legislation, children own their own data, therefore, whilst we may sometimes accept requests submitted on behalf of children, we may not always provide disclosures in response.
* **Information about my business.** That’s not a SAR. That would be a Certificate of Good Standing (CoGS). You should make your request through [‘Companies House Gibraltar’](https://www.companieshouse.gi/).
* **Information about me for a Visa.** That’s not a SAR, you would require a [Police Certificate](https://police.gi/uploads/Public%20Use%20Forms/Police%20Certificate%20-%20F09.docx) (previously referred to as a Certificate of Good Conduct) which details whether you have a criminal record in Gibraltar. This is usually required as part of the visa/citizenship/residency process. Police Certificates are not intended or are to be used to gain employment in Gibraltar.

**How to apply for access to information held about you**

These notes explain how you can find out what information, if any, is held about you. It is not a requirement to complete this form, however it may make it easier to include all the details needed to locate the information you want.

**Your Rights**

Subject to certain exemptions, you have the right to access your personal data. This right allows you to be made aware of and verify the lawfulness of the processing carried out. The Commissioner of Police will only give that information if he is satisfied as to your identity. He will not give you any information which identifies someone else, unless that person provides consent. If you think that information might be held about you which may identify another person, you may want to get that person’s agreement and send it with your application.

This will be returned within one calendar month after receipt of a fully completed form and proof of identity.

The DPA 2004 allows us to extend the period of compliance by a further two calendar months where requests are complex or numerous. If this is the case, we will inform you within one month of receipt of your request and explain why the extension is necessary.

**The Commissioner of Police’s Right**

The Commissioner of Police may deny access to the information where the Act allows but the main exemptions in relation to information held by the Police are where the information is held for:

* The prevention or detection of a crime.
* The apprehension or prosecution of offenders whereby giving you the information would be likely to prejudice any of these purposes.

**Fee**

No fee is applicable for this service, however a reasonable fee can be charged when a request is classed as manifestly unfounded, excessive or repetitive.

**Proof of Identity**

Section 1 asks you to give personal information about yourself which will help the Commissioner of Police to confirm your identity. He has a duty to ensure that information he holds is secure and he must be satisfied that you are who you say you are. Section 5 asks you to provide evidence of your identity by producing copies of documents(s) with your application.

**Closed Circuit Television (CCTV), Video/Digital Images**

Footage is only retained for short varying periods, i.e., Body Worn Camera (BWC) 3 months, CCTV at New Mole House Police Station 30 days, Public CCTV 30 days. If you are requesting footage, please supply a photograph of your face (e.g. passport photo) to assist identification.

**Privacy Policy**

The information is processed in accordance with our policing purpose as defined by the Code of Practice for the Management of Police Information (MoPI) Policy as follows:

* Protecting life and property
* Preserving order
* Preventing the commission of offences
* Bringing offenders to justice
* Any duty or responsibility arising from common or statute law

If you or your client have any concerns or queries regarding the above processing, please contact the Royal Gibraltar Police (RGP) Data Protection Officer (DPO) on dpo@royalgib.police.gi alternatively, please visit our website where you can view our [Privacy Policy](https://www.police.gi/privacy-policy).

**Other information / FAQs**

**- What’s the difference between a SAR and a RoAR?**  Nothing, they are interchangeable terms. The most recent legislation in the UK uses the term RoAR which stands for Rights of Access Request. SAR stands for Subject Access Request and is the term most commonly used when making reference to a right of access request.

**- What’s the difference between a SAR and a DSAR?**  Nothing, they are interchangeable terms. A Subject Access Request (SAR) or a [Data Subject Access Request](https://dataprivacymanager.net/gdpr/art-15-right-of-access-by-the-data-subject/) (DSAR) is a request addressed to an organisation that gives individuals a right to access information about [personal data](https://dataprivacymanager.net/glossary/personal-data) the organisation is processing about them and to exercise that right easily at reasonable intervals, in order to be aware of, and verify the lawfulness of the processing. Every individual has the right to know and obtain information about the purposes of personal data processing.

**- I have been asked to submit a SAR by my solicitor, insurance company or someone else.**  Other people / organisations who have asked you to obtain a SAR for their purposes (usually because this saves them money), may be committing an offence. Ask them to use the correct process for the intended purpose.

**- Can you offer me advice around information rights?** We will assist where we can to allow you to exercise your information rights, but we do not provide legal or technical advice.

**- Can I have another copy of information I already have or which you have provided before?**  We charge for this. We will not consider the request until the matter of payment has been concluded.

**- Why should I use your form? - I am not required to use a form.**  That’s correct, but the form lays out what we need to find the information you want, to find it quicker and to make sure we find it all.

**- Freedom of Information.**  A Freedom of Information Request (under the FOI Act 2018) is a request for organisational information, NOT a request for information we hold about you.

**- Asking for organisational information.** This may be an FOI request rather than a SAR. You should find out from the Information Commissioner’s Office [(Gibraltar Regulatory Authority)](https://www.gra.gi) what the difference is prior to making your application.

*Please note that as of August 2024, the Royal Gibraltar Police is still not listed in the FOI 2018 Schedule of ‘Public Authorities’ and as such, we cannot process any FOI requests.*

**Form Guidance**

If you are printing off this form and filling it in by hand, PLEASE USE BLOCK CAPITALS (clearly and legibly) using BLACK INK only, throughout the form to assist in processing your request.

Complete **Sections 1 – 8 overleaf.** If you are applying **on behalf of someone else** you must enclose / attach a signed letter of consent from that person, authorising you to act on their behalf.

**Please note that fields marked \* are mandatory.**

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| **Section 1 - Personal information about you (to be completed by the data subject)** |
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| **1.1 \* Title:**  |  Choose an item. (if other, please specify) Click or tap here to enter text. |
| **1.2 \* ALL forename(s)/given name(s):** | Click or tap here to enter text. |
| **1.3 \* Surname/Family name:**  | Click or tap here to enter text. |
| **1.4 \* Have you ever used or been known by any other names?**  |  |  Choose an item. |
| If you have answered Yes to the question above, please provide a list of all your previous names below, including **maiden/married** names, names prior to and after change by deed poll, and name at birth if different from the above. Failure to answer this question will delay your request. If you run out of space, please supply any additional information on a separate sheet.**Previous/former name(s):** |
| Click or tap here to enter text. |
| **1.5 \* Date of birth: (dd/mm/yyyy)** | Click or tap to enter your DOB  |
| **1.6 \* Place of birth:** Village/town: Country: | Click or tap here to enter text.Click or tap here to enter text. |
| **1.7 \* Gender:**  | Choose an item. |
| **1.8 \* Passport or Identity Card number:**  | Click or tap here to enter text. |
| **1.9 \* Country issuing Passport/Identity Card:**  | Click or tap here to enter text. |

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| **Section 2 - Contact details (we ask for this in case it is necessary to contact you)** |
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| **2.1 Email address:** | Click or tap here to enter text. |
| **2.2 Daytime telephone number:** Please make sure that you include local/area or international dialing codes. | Click or tap here to enter text. |

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| **Section 3 - Address history** |
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| **3.1 \* Current address:** This is the physical address at which you reside (not a PO Box) and should be shown on your proofs of address.  |
| Click or tap here to enter text.Click or tap here to enter text.Click or tap here to enter text. |
| **Postcode:**  | Click or tap here to enter text. |
| **Date from:**  | (mm/yyyy) |
| **3.2 Previous addresses:** If the information you are requesting refers to previous addresses you have lived at, it will assist our search if you indicate below those addresses |
| **Previous addresses:** | **Date from:** (mm/yyyy) **Date to:** (mm/yyyy) |
| Click or tap here to enter text.Click or tap here to enter text.Click or tap here to enter text. |
| **Postcode:**  | Click or tap here to enter text. |

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| **Section 4 – Personal data sought** |
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| In order to help us to find the information to which you are requesting access, please provide details of the specific information you require in the sections below.Failure to provide sufficient information may limit our ability to locate data relevant to your submission or result in a determination that the request is excessive. To prevent delays and to ensure that we are able to provide you with the information you are seeking to access, you are advised to provide as much information related to the data requested as possible. You may be contacted for further details or to clarify the scope of your request. (See guidance notes for further information). |
| **The following is to assist you in supplying sufficient information to allow the Commissioner of Police to identify your data; examples are non-exhaustive.** |
| **Categories/Type of Information required**Please be as specific as you can and describe what information you need. For example, Crime Report, Custody Record, Photograph, Pocket Note Book entry, Email between XX and XX. For some categories of data there are other, more appropriate, mechanisms through which you should request your information. Where you appear to be exclusively looking for information specific to these categories you will be advised by the Commissioner of Police.**Description**Describe the incident or occurrence that caused you to have contact with the Police. This should specify the subject of the data you are looking for. For example; “I was arrested for assault” or “I reported my motorcycle stolen”. These details will enable us to identify the correct report/data you are requesting.**Time Period**Please use the format “DD/MM/YYYY – DD/MM/YYYY”.**Relevant Departments/People**List the name of any teams, departments, or individuals who are likely to hold the information you seek or may be able to give further context to your request; you should include their role in any relevant circumstances; for example: “John Smith – my family liaison officer”.**General Note**You should always consider where you can be more specific – this will lessen the likelihood of your request being determined to be excessive, examples of which would be requests such as “all emails about me” or “I want all information about me that the Commissioner of Police holds”. |
| **Please tell us what information you are requesting**  |
| **4.1 \* Were you a:** | Victim [ ]  Suspect [ ]  Witness [ ] Complainant [ ]  Other (Please specify below) [ ]  |
| Click or tap here to enter text. |
| **4.2 \* Please specify exactly what documents/information you require.**  |
| Click or tap here to enter text. |
| **4.3 \* Description – What happened to cause you to have contact with police?**e.g. “I was burgled” or “I was arrested for Criminal Damage”. This information will assist us in narrowing our searches in order to locate your data as quickly as possible. |
| Click or tap here to enter text. |
| **4.4 When did it happen? Please give approximate dates/timeframe if you are not certain.** e.g. between 2010 & 2011 - OR - 14 Dec 2009 |
| Click or tap here to enter text. |
| **4.5 Where did it happen? What person or department did you have contact with at the time?** e.g. PC321 JAMES or PaulSMITH at Central Police Station |
| Click or tap here to enter text. |
| **4.5 Relevant Reference Numbers**Please give any relevant reference numbers you were given at the time that might help us locate it (e.g. CR/22/08476/X). If you have previously submitted an application to us please also provide the reference number (e.g. R34/2022 / RTC / V/46/2022) |
| Click or tap here to enter text. |

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| **Section 5 – Proof of identity** |
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| **\*** To help establish your identity your application **must** be accompanied by copies of **official** document(s) bearing your **name, date of birth, signature** and **current address**. All proof of address documents should be dated within the last six months. Please note in some circumstances it may be necessary for us to request original identification documents. |
| **Section 6 – Third party nomination (where applicable)** |
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| The Royal Gibraltar Police will not discuss your request with another party or disclose details without your consent. If for any reason you wish to nominate a representative to discuss this request on your behalf you must provide their contact details below. Providing contact details for a third party will be considered as consent. If you are a Power of Attorney for the applicant, please enclose a copy of the Power of Attorney documents with this request. Unless otherwise stated, completion of Section 6 below indicates that your representative should be contacted in your place for all matters in relation to your request. |
| **6.1 \* Name of representative/contact:** | Click or tap here to enter text. |
| **6.2 \* Relationship to you:** | Click or tap here to enter text. |
| **6.3 Organisation Details:**If you are representing the data subject in a professional capacity, please provide details of your organisation. | Click or tap here to enter text. |
| **6.4 Telephone number:** | Click or tap here to enter text. |
| **6.5 Email address:**  | Click or tap here to enter text. |

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| **Section 7 – Enforced subject access** |
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| You do not have to answer this question, but if you do it will **not** affect your request. Certain employers and organization’s such as recruitment agencies may attempt to exploit the subject access process by requiring individuals to use it to obtain a copy of their cautions or criminal convictions (or evidence that there is nothing held) as part of recruitment or continuing employment processes.  |
| **7.1 Have you been asked by someone to apply for your personal information in relation to any cautions or criminal convictions under a subject access request and provide them with the response for the purposes of:** |
| * your current job, or
* a job you have been offered, or
* to enter a contract for the provision of goods, facilities or services?
 | Choose an item. |
| If yes, then whoever has asked you may be committing an offence under Section 186 of the Data Protection Act 2004. **You have not committed any offence in submitting your request and your request will be processed.** |
| **7.2 You are not obliged to do so, but we would appreciate it if you would provide details below of whoever has asked you to apply through subject access, and under what circumstances. We may pass these details to the Information Commissioner’s Office who may investigate further with a view to prosecuting whoever has asked you.** |
| Click or tap here to enter text. |

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| **Section 8 – Declaration & Signature** |
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| **8.1 \* Declaration** [ ]  The information supplied in this application is correct, and I am the person to whom it relates.**OR**[ ]  The information supplied in this application is correct to the best of my knowledge and I am acting on behalf of the person to whom it relates.  |
| **Signature** |   | **Date** | Select date  |
| \*\* You can sign this form physically with a pen or include a digital copy of your signature. This will then be matched to your signature on the proof of identity documents you have provided. If they do not match, your request will be rejected.Warning - a person who impersonates or attempts to impersonate another may be guilty of an offence. |

**What to do next**

You have now completed all the relevant sections of the form. Please check you have:

* Completed all the parts you need to (clearly and legibly) [ ]
* Enclosed official forms of identification (as per Section 5) [ ]
* Signed the form (Section 8) [ ]
* Provided sufficient information to enable us to locate your personal data [ ]
* Provided a signed letter of authority or proxy if applying on behalf of another (as per Section 6) [ ]

When you have completed the form, send it together with the required identity documentation to: datarequests@royalgib.police.gi

If you prefer to send the application by post instead, please send to:

**Information Management & Vetting Unit,
Royal Gibraltar Police,
New Mole House Police Station,**

**Rosia Road,**

**Gibraltar,**

**GX11 1AA**

*Please note that the RGP take no responsibility for any letters or applications posted to us that are not delivered to our offices by the Royal Gibraltar Post Office (RGPO) or other postal services. In addition, the RGP do not accept responsibility for letters posted to the RGP where incorrect and insufficient postage is paid. Please ensure that you pay the correct postage on your mail as RGPO will not deliver your postal item to us without the appropriate full postage being met by the sender.*

The data provided within this form will be used to process your request for information held by the RGP under the DPA 2004. The information provided within will be used to conduct searches of RGP systems to locate the information being requested.

We may use your email address and telephone number to contact you regarding our processing of your request. We will not discuss this request with any third party unless explicitly consented to by you within this form.

If specified within the form, the disclosure will be sent to the email address provided so it is important that this is accurately recorded.

Your details will be recorded within our SAR database for a period of 24 months from the date your request is answered. After this period, your request details, request response and any disclosure sent to you will be deleted from our systems.

**FOR OFFICE USE ONLY**

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| **APPLICATION** |
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| **Date application received** | Date application received  |
| **Identification document(s) checked** | Choose an item. |
| **Reference No.**  | Reference No. |
| **Date completed**  |  | Date completed  |
| **Processed by** | Click or tap here to enter text. |
| **Handover receipt completed** | Choose an item. |
| **In line with the RGP Standard Operating Procedure document on the “Four Eyes Principle”, I can confirm that the data released in relation to this SAR application has been checked against the data we hold on the data subject and is found to be correct.** |
| **Date Checked** | Date checked  |
| **Police Staff name**  | Police Staff name |
| **Signature** |  |