

Dear [REDACTED]

REQUEST

1. What practical procedure/s does your force have in place to ensure the review and or deletion of custody images after 6 years?
2. If there is a procedure in place, how many images have been deleted as the result of a periodic review (rather than following an individual's application for deletion)?
3. How many images on your custody image database are of unconvicted persons?
4. Since February 2017, how much has your force spent on the deletion of custody images of unconvicted people?

RESPONSE

From our preliminary assessment we are unable to provide this as it would exceed the appropriate costs limit under section 12 of the Freedom of Information Act 2000. This is currently £450. The basis for this calculation is the cost of retrieving the data to answer your question 3 in particular.

In order to obtain this information would require a manual search of all offenders on the Police National Computer to establish if the offender was indeed convicted firstly. Those that weren't will require a manual read through again to establish if their custody image had indeed been removed at any point. There are thousands of offenders on our police system. This is estimated to take one individual 10 minutes per offender taking in excess of 83 hours for 1000 offenders only, this exceeds the appropriate limit and your entire request is therefore refused.

Section 17 of the Freedom of Information Act 2000 requires the Cheshire Constabulary, when refusing to provide such information (because the information is exempt) to provide you 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 appropriate limit is defined in the Data Protection and Freedom of Information (Fees and Appropriate Limit) Regulations 2004, which is covered by statutory Instrument Number 3244 of 2004. Furthermore, Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse to respond to a request for information where the cost of compliance would exceed the appropriate limit as defined by the above mentioned regulations.

Unfortunately I am unable to offer any alternative at present to assist with this part of your request, however in order to assist you I have provided a link to the College of Policing Authorised Professional Practice for Information Management where you will see the Retention, review and disposal which includes guidance on deletion.

<https://www.app.college.police.uk/app-content/information-management/management-of-police-information/retention-review-and-disposal-of-police-information/#request-for-deletion>

If you are not satisfied with the decision applied in this case I enclose for your attention a copy of the Constabulary's appeal procedures.

Regards

[Redacted]

Information Officer

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