



Altogether Better Policing

Information Rights and Disclosure
Professional Standards and Legal Services
Peterlee Police Office
St Aidans Way
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County Durham
SR8 1QR

Tel. No: 0191 3752596

Web Site: www.durham.police.uk

E-mail: freedomofinformation@durham.pnn.police.uk



**Request to Durham Constabulary under the Freedom of Information Act
Received on 5.3.18 Our Ref: DC/FOI 228-18**

Date:- 18.4.18

Amended 19/04/2018

Your 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?

I can confirm that the information that you seek is held by Durham Constabulary.

Your request has now been considered and I am not obliged to provide the information that you have requested.

Although the information is held, there is no facility to easily access the information requested in relation to question 3. To access and retrieve accurate data would require a member of staff to manually review 15,225 records. A conservative estimate of the time needed to check each individual record to ensure accuracy is 20 minutes.

The cost of providing you with the information is above the amount to which we are legally required to respond. Accordingly therefore, I will be unable to provide any information in relation to your request under Section 12 of the Freedom of Information Act 2000.

In accordance with Section 17(5) of the Freedom of Information Act 2000, this letter represents a Refusal Notice for this particular request.

Unfortunately the information requested in respect of question 3 cannot be easily retrieved without a manual review of all images against a several recording systems; to do this to ensure accuracy would exceed the cost limits set under the Act.



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Although excess cost removes Durham Constabulary's obligations under the Freedom of Information Act 2000, as a gesture of goodwill, I have supplied information below, 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.

Durham Constabulary follows the College of Policing Authorised Professional Practice for Information Management which contains a section on Retention, Review and Disposal (RRD) which includes guidance on the deletion of custody images please see the link below-

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

Durham Constabulary has a single RRD procedure which encompasses all types of data held on operational systems. However, there a number of legacy recording systems in Durham Constabulary which do not support deletion of data and there are a number of images and person records identified for disposal and the Force is working with suppliers to identify technologies to enable appropriate deletions.

Durham Constabulary recognises there is a difference between images of people who are subsequently not convicted of the offence for which the image was taken and have no prior convictions and those persons who have no convictions. In either case the Force is working with suppliers to manage the link between the criminal justice outcome and the custody image. At the moment the manual intervention required would be a prohibitive expense. The Force is also working with the Home Office in relation to the Police National Database to identify Durham Constabulary persons with an arrest only record in support this process. Once the technology is in place the Force will be deleting images of those persons with no convictions, however there will also be a review of those persons linked to serious offences and who have previous convictions.

Expenditure incurred to date has been on developing proprietary software to ensure images captured are recorded against the correct metadata to allow for lawful processing and management. The Force will be seeking to identify a technical solution to the management of images and associated data both current and legacy.

Please note that Durham Constabulary's response to your request is unique and should not be used as a comparison with any other Force response you receive.

COMPLAINT RIGHTS

Your attention is drawn to the below link to our website, which details your right to complain:



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<https://www.durham.police.uk/About-Us/Freedom-of-information/General/Pages/FOI-Request.aspx>

If you have any further enquiries concerning this matter, please write or contact me on the above telephone number.

I hope this is of assistance to you.

J Huntington
Information Rights and Disclosure Officer