



[REDACTED]

Date: 3<sup>rd</sup> April 2018

Dear [REDACTED]

**FREEDOM OF INFORMATION APPLICATION REFERENCE NO: ICDS/FOI/000829/18**

Thank you for your request for information received by Lancashire Constabulary on 05/03/2018 which was as follows:

- 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?**

Your request has now been considered and the information you are seeking can be found below:

1. In response to question 1 of your request, please be advised that Lancashire Constabulary are currently in the process of introducing a new system which links all relevant records within a POLE (Person, Object, Location, Event) store. This system is where custody photographs are stored and it has an inbuilt capacity to conduct nominal (person) reviews in line with the requirements of Management of Police Information (MoPI):

Please see the review schedule here <https://www.app.college.police.uk/app-content/information-management/management-of-police-information/retention-review-and-disposal-of-police-information/#review-schedule>

When this system is active, custody photographs will be captured and reviewed / disposed of as part of this review process.

2. In response to question 2 of your request, as we are currently in the process of introducing a new system, an answer to this question is not applicable.
3. In response to question 3, it is not possible to answer this question as it is not recorded against the photograph or custody record whether or not the arrest to which the photograph pertains resulted in a conviction.

Every arrest record which had a custody photograph attached would therefore need to be cross-referenced to the case management system which records the result of cases. 2190 arrests were made in February 2018 alone. Even at a conservative estimate of one minute per record it would take in excess of 36 hours to determine firstly if the arrested person was photographed, and secondly, to cross reference to the case system to see which arrests had resulted in a conviction. Clearly this exceeds the 'Appropriate Limit' of 18 hours as per the fees regulations, and this would still only constitute a small proportion of the custody

photographs on record. As a result, Section 12 of the Freedom of Information Act 2000 applies and regrettably this task cannot be undertaken at this stage. This letter serves to act as a refusal notice for this request, as per S.17 (5) of the Act.

4. Since February 2017 we have received 5 applications for removal of a custody photo and all 5 were agreed and have since been removed. We do not hold any costs in relation to this; this work is completed by a number of staff in Information Assurance and ICT as part of their daily duties and no separate record is made of time spent or costs attributed.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision, you should write to the Information Assurance Manager, Information Compliance and Disclosure Section, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to [information@lancashire.pnn.police.uk](mailto:information@lancashire.pnn.police.uk). Details of the Constabulary's Freedom of Information Complaint Procedures can be found attached to this email.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Lancashire Constabulary. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

*Compliance Team*

Information Compliance and Disclosure Section