

Provision of information held by Northumbria Police made under the Freedom of Information Act 2000 (the 'Act')

Thank you for your e mail dated 5 March 2018 in which you made a request for access to certain information which may be held by Northumbria Police.

As you may be aware the purpose of the Act is to allow a general right of access to information held at the time of a request, by a Public Authority (including the Police), subject to certain limitations and exemptions.

You asked:

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?

We have now had the opportunity to fully consider your request and I provide a response for your attention.

Following receipt of your request, searches were conducted with the Information Management Unit of Northumbria Police. I can confirm that the information you have requested is held in part by Northumbria Police however cannot be disclosed for the following reasons.

The information requested, particularly at points 2 and 3 is not held statistically and to compile in response to your FOI would far exceed the permitted time constraints. Approximately 16000 records images were removed from the respective records. To provide a response to point 3 would require each of those individuals records being viewed to establish if they were of unconvicted persons. Even at a conservative estimate of 5 minutes per record, which we have considered as reasonable, we have estimated that to locate and extract this information alone would take over 1300 hours, therefore Section 12(1) of the Freedom of Information Act would apply. This section does not oblige a public authority to comply with a

request for information if the authority estimated that the cost of complying with the request would exceed the appropriate limit of 18 hours, equating to £450.00

You should consider this to be a refusal notice under Section 17 of the Act for your request.

Although excess cost removes Northumbria Police'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.

1. Reviews are carried out in conjunction with guidance issued to police forces by the Home Office in February 2017. In addition to undertaking a review following a request by an individual for deletion Northumbria has also incorporated a review of custody images into its Review, Retain and Disposal process under MoPI. These reviews are not set at six years, consequently some images may be removed several months after being taken whereas others may have been held for ten or more years.

College of Policing Authorised Professional Practice for Information Management contains a section on Retention, Review and Disposal which includes guidance on the deletion of custody images, see below link:

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

4. No information held. There are no monetary costs associated with this process, it is part of existing business processes.

Due to the different methods of recording information across 43 forces, a specific response from one constabulary should not be seen as an indication of what information could be supplied (within cost) by another. Systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. For this reason responses between forces may differ, and should not be used for comparative purposes.

The information we have supplied to you is likely to contain intellectual property rights of Northumbria Police. Your use of the information must be strictly in accordance with the Copyright Designs and Patents Act 1988 (as amended) or such other applicable legislation. In particular, you must not re-use this information for any commercial purpose.

You may be interested to know that Northumbria Police routinely publish information via the Disclosure Log. The aim of the Disclosure Log is to promote openness and transparency by voluntarily placing information into the public arena.

The Disclosure Log contains copies of some of the information that has been disclosed by Northumbria Police in response to requests made under the Freedom of Information Act 2000.

Whilst it is not possible to publish all responses we will endeavour to publish those where we feel that the information disclosed is in the wider public interest.

The Disclosure Log will be updated once responses have been sent to the requester.

I have provided the relevant link below.

http://www.northumbria.police.uk/freedom_of_information/disclosure_log/

How to complain

If you are unhappy with our decision or do not consider that we have handled your request properly and we are unable to resolve this issue informally, you are entitled to make a formal complaint to us under our complaints procedure, attached below

http://www.northumbria.police.uk/freedom_of_information/disclosure_log/foi_complaint_rights/

If you are still unhappy after we have investigated your complaint and reported to you the outcome, you may complain directly to the Information Commissioner's

Office and request that they investigate to ascertain whether we have dealt with your request in accordance with the Act.

Yours sincerely

[REDACTED]

Data Protection and Disclosure Advisor

Direct Dial: [REDACTED]

[NOT PROTECTIVELY MARKED]