



Freedom of Information Request Reference N^o: FOI 000399-19

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 26 January 2019 which you sought access to the following information:

1. *“How many requests are received asking to have a person's DNA profile deleted from the police database after they have been ruled out of committing a crime?”*
2. *How many of these applications are successful?*
3. *How many applications for DNA profiles to be removed from the police database come from convicted criminals?*
4. *How many of these application are successful.*

Please provide a break down for the last three years (2016, 2017, 2018) by each year.”

Response to your Request

The response provided below is correct as of 29 January 2019

Suffolk and Norfolk Constabularies have considered your request for information and the response is below.

1. The Constabularies have received a total of 21 requests to have an individual's DNA profile deleted and an additional 38 requests from the Association of Criminal Records office (ACRO) for the deletion of DNA.

Year	Received by Constabularies	Received via ACRO
2016	3	14
2017	6	16
2018	12	8

2. Of those applications referred above, the following applies:

Year	Record deleted	
	Received by Constabularies*	Received via ACRO
2016	3	3
2017	4	5
2018	9	5

*Please note that of the 8 unsuccessful applications, 6 were as a result of no ID being provided.

In most cases, when a request is received the Constabularies are simply confirming that the data has already been deleted as individuals were NFA'd. The Protection of Freedoms Act 2012 (PoFA) which amended the Police and Criminal Evidence Act 1984 (PACE) to limit the periods for which the police can retain biometrics (DNA and other samples, DNA profiles and fingerprints). Chapter 1 of Part 1 of PoFA makes provision in respect of the retention and destruction of fingerprints and DNA samples and profiles taken in the course of a criminal investigation. In particular, it replaced the existing framework, set out in Part 5 of PACE, whereby DNA and fingerprints taken following arrest for a recordable offence can be retained indefinitely, regardless of the outcome of the investigation. A recordable offence is one for which the police are required to keep a record. In line with the provisions of the PoFA, all DNA and fingerprint records that fall within the criteria for removal are destroyed via an automated process.

3. 7 individuals had a conviction.
4. None of these records were deleted. Should an individual be convicted of an offence, the Protection of Freedoms Act allows the Constabularies to indefinitely retain their DNA and fingerprints. However, should a request come from ACRO that relates to a conviction and the decision of the Constabularies DCC is to remove it from the PNC, this will also remove the DNA and fingerprints.

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 40 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700