



Data Protection and Freedom of Information Unit

Chippenham Police Station
Wood Lane
CHIPPENHAM
Wiltshire SN15 3DH
Telephone: 0845 408 7000
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David Mery
dmery@acm.org

Date 22 February 2009

Your ref

Our ref RFI 2008-353

Reply contact name is **Chris Harwood**

Dear David,

I write in connection with your request for information dated 17 November 2008 concerning the processing of DNA records.

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

You wrote:

1/ For each calendar year since 2002, how many DNA profiles were contributed by your force to the NDNAD.

2/ For each calendar year since 2002, how many DNA profiles were contributed to the NDNAD of individuals that were arrested by your force. If this is different from the number of times officers from your force took DNA samples from arrested individuals, please provide this number as well and explain the reason for the difference.)

3/ For each calendar year since 2002, how many DNA profiles were contributed to the NDNAD of individuals that volunteered their DNA samples to your force. If this is different from the number of times officers from your force took DNA samples from volunteers, please provide this number as well and explain the reason for the difference.)

4/ For each calendar year since 2002, how many requests for DNA records removals has your force received. How many individuals who had their DNA taken when arrested sent these requests, and how many individuals who volunteered their DNA sent these requests.

5/ For each calendar year since 2002, how many requests for DNA records removals has your force agreed to (i.e., where the Chief Officer decided "Yes - Action the removal of PNC, fingerprint and DNA records" as described in the step down model flowchart). How many were agreed for individuals who had their DNA taken when arrested; and how many were agreed for individuals who volunteered their DNA.



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Response:

This type of information is not stored in an easily retrievable way and to extract this information would have to involve a manual search of all records to try and identify the information you require.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it. Therefore the request falls under the exemption of section 12 of the Freedom of Information Act 2000.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide such information (because the information is exempt) to provide you the applicant 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 exemption applicable to the information requested is:

Exemption applied:

Section 12: Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

Please contact me if you would like to discuss the withheld information.

Yours sincerely

Chris Harwood

Decision Maker,
Data Protection & Freedom of Information Unit

The Wiltshire Constabulary offers a re-examination of your case under its review procedure



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Freedom of Information Request Appeals Procedure

If, upon receipt of a response to a request for information, you as the applicant are unhappy with the outcome, you are entitled to appeal against the decision reached in the following way:

In the first instance, you should write to the Data Protection and Freedom of Information Officer at the address given above. You will need to include the reference number and date of your request, plus details of why you are appealing.

Receipt of your appeal will be acknowledged including confirmation of the issue/s raised, a target date for response (***as soon as practicable and in any case within three months***) and the point of contact dealing with the appeal (***who will be independent from the original decision maker***).

A review of the appeal will then be conducted and you will be subsequently informed of the outcome, which could be one of three possibilities:

1. All the information will be provided.
2. Some additional information will be provided.
3. The original decision will be upheld and no additional disclosure made.

If after the appeals procedure has concluded, you are still dissatisfied, you have the right to direct your comments to the Information Commissioner (www.informationcommissioner.gov.uk) who will give it due consideration.

