

Mr David Mery

By e-mail to dmery@acm.org

Our Reference: 46680

29th April 2009

Dear Mr Mery,

I am writing with reference to your request for information regarding NDNAD advice given to forces, dated 30th March 2009, made under section 1(1) of the Freedom of Information Act.

You asked for the following information:

"If the force cannot provide the information the applicant should make another request for the information to the NPIA as we hold the information.' As this may further clarify the respective position of the NPIA and the police forces in respect of my question 3, please send me the full advice from the NPIA to police forces from which this is extracted."

I can confirm that the NPIA does hold the information you have requested and is detailed below.

The advice provided was not official advice by the NPIA to all forces, but was advice provided to one force during the course of an e-mail exchange. The full advice issued was : -

"I have been speaking to the ACPO FOI central referral unit about an FOIA request that has been sent to all forces, it asks the same questions as in your request below. The unit have advised that if forces do not hold the information themselves they should respond saying so and that under FOIA legislation they do not have to release information they do not hold on their own force systems. If the force cannot provide the information the applicant should make another request for the information to the NPIA as we hold the information. The ACPO FOI central referral unit are going to be writing to all force FOIA teams to advise them of this, I think this advice will be sent out to all forces tomorrow"

NPIA
New King's Beam House,
22 Upper Ground, London, SE1 9QY

T 020 8358 5678
F 020 8358 5700

NPIA (headquarters)
4th Floor,
10-18 Victoria Street,
London, SW1H 0NN

T 020 7147 8200
F 020 7147 8201
www.npia.police.uk

However, I feel it is necessary to provide some context to the advice given. The advice was directed solely at Gwent Police as they enquired about statistics from the NDNAD. The NPIA were not asked by Gwent to provide data for your question 3, on removal requests received by the force, therefore the advice did not relate to this question directly. The questions that the NPIA were asked to provide advice on are as follows:-

"1. For each calendar year since 2002, how many DNA profiles were contributed to the NDNAD by Gwent Police?"

2. For each calendar year since 2002, how many DNA profiles were contributed to the NDNAD of individuals that were arrested by Gwent Police.

3. For each calendar year since 2002, how many DNA profiles were contributed to the NDNAD of individuals that volunteered their DNA samples by Gwent police?

4. For each calendar year since 2002, how many DNA profiles has Gwent Police requested to be removed from the NDNAD? "

We take our responsibilities under the Freedom of Information Act seriously but, if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. We will investigate the matter and endeavour to reply within 3 – 6 weeks. You should write to:

Gavin McKinnon
Head of Secretariat
National Policing Improvement Agency
10-18 Victoria Street
London
SW1H 0NN

E-mail: gavin.mckinnon@npia.pnn.police.uk

If you are still dissatisfied following our internal review, you have the right, under section 50 of the Act, to complain directly to the Information Commissioner. Before considering your complaint, the Information Commissioner would normally expect

National Policing Improvement Agency

you to have exhausted the complaints procedures provided by the NPIA. The Information Commissioner can be contacted at:

FOI Compliance Team (complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Further information about the NPIA is routinely published on our website at www.npia.police.uk or through our publication scheme. If you require any further assistance in connection with this request please contact us at our address above.

Yours Sincerely,

Andy Woodgate
FOI Compliance Manager
National Policing Improvement Agency