

Mr David Mery

By e-mail to dmery@acm.org

Our Reference: 43286

16th September 2008

Dear Mr Mery,

I am writing with reference to your request for information regarding the National DNA Database (NDNAD), made under section 1(1) of the Freedom of Information Act, dated and received by the National Policing Improvement Agency (NPIA) on 2nd September 2008.

You asked for the following information:-

Authoritative figures for the NDNAD; in particular the following data for each year since 2002:

- 1/ total number of profiles held on the NDNAD*
- 2/ estimated total number of individuals for whom a profile is held*
- 3/ estimated total number of innocent individuals for whom a profile is held (please specify the definition you use for innocent in this context, but preferably it should at least include CJ arrestees and acquittals)*
- 4 total number of profile deleted (and samples destroyed)*

and as this has been recently topical:

- 5/ total number of children aged 10-17 yr old for whom a profile is held*
- 6/ estimated total number of innocent children aged 10-17 yr old for whom a profile is held*

I am looking for data about profiles for DNA samples taken by English and Welsh police forces. If you hold the figures for Scotland and Northern Ireland as well, I'd welcome these too (in separate tables).

In response to your request, we are able to provide you with the following information.

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

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The NDNAD is not a criminal records database. It holds very little information about a subject's identity – only their name, date of birth, sex and ethnic appearance. Inclusion on the DNA database does not signify a criminal record, and there is no personal cost or disadvantage by being on it.

The NDNAD is also a dynamic, continually changing database. Because the data on the NDNAD is constantly changing, it is generally only possible to provide a "snapshot" of its contents at the current moment in time. Because of this, we are unable to run reports retrospectively to obtain figures on the numbers of profiles and individuals held on the NDNAD in previous years. However, I would draw your attention to the relevant information which was published in the previous NDNAD annual reports. These reports are available for download on the Home Office website at the following address <http://www.homeoffice.gov.uk/science-research/using-science/dna-database/>

We are able to provide the current up to date figures on the NDNAD. In addition to samples taken by England and Wales forces, the NDNAD also holds DNA sample records submitted by police forces in Scotland, Northern Ireland and Channel islands. Where possible figures for both the England and Wales forces and those forces outside England and Wales will be provided.

1/ total number of profiles held on the NDNAD

2/ estimated total number of individuals for whom a profile is held

Total number of profiles held on the NDNAD as at 01/09/08

The National DNA Database (NDNAD) holds both DNA profiles derived from samples taken from known individuals (referred to as subject sample profiles) and also DNA profiles derived from samples left at unsolved crime scenes from unknown individuals (referred to as crime scene sample profiles).

	England & Wales Forces	Other Forces
Total Subject Profiles	4969225	327088
Total Crime Scene profiles	320335	13749

The figures for subject profiles cover all subjects loaded to the NDNAD and therefore cover both subjects who provided a sample voluntarily, for example for elimination purposes within the context of a specific case, and also criminal justice samples which are those taken from individuals following arrest for a recordable offence

They refer to the numbers of subject *profiles* held on the NDNAD and thus do not equate to the actual number of *individuals* on the NDNAD. The number of subject profiles on the NDNAD is higher than the number of individuals because some of the profiles held are replicates. Replicates arise from samples being taken from the same subject on more than one occasion for example where a person gave different

names, or different versions of their name, on separate arrests or where a Police Force chooses to resample them to improve the discriminating power or evidential value of the sample.

Estimated number of individuals held on the NDNAD as at 01/09/08

	England & Wales Forces	Other Forces
Total individuals	4319807	273358

3/ estimated total number of innocent individuals for whom a profile is held (please specify the definition you use for innocent in this context, but preferably it should at least include CJ arrestees and acquittals)

The NDNAD does not hold information on the arrest and criminal histories of the individuals from whom DNA samples are taken. Data on the arrest and conviction histories of persons with a profile on the DNA Database is held on the Police National Computer (PNC), but this is not routinely available information. The main function of the PNC is to support operational policing and the investigation of crime; it is not an information database for statistical purposes.

However, some data on the number of persons on the NDNAD who have no conviction, caution etc has been obtained from the PNC in the past, mainly for research purposes. This involves the writing of a special programme or script to obtain the relevant data. The process of writing, testing and running the script is costly and can take several days.

The last report ran to obtain information on the numbers of people on the NDNAD whom have committed no offence was run on 31/03/08.

It is not possible to give a precise figure for the number of persons with a DNA profile on the NDNAD whom have committed no offence as some relevant conviction and caution records have been removed from the PNC. Before the introduction of the ACPO Criminal Record Retention Guidelines in April 2006, police forces deleted PNC records from some of those convicted of lesser offences after 5-10 years or the person may had been acquitted or proceedings were discontinued and their record removed from PNC.

As at 31/03/08 there were an estimated 4,116,713 individuals on the NDNAD who were sampled by police forces in England and Wales. Data obtained from the Police National Computer (PNC) on 31 March indicates that 3,832,986 (of the estimated 4,116,713) persons had a record retained on PNC. Of these, 3,259,347 persons had a conviction, caution, formal warning or reprimand recorded on the PNC (79% of persons on the NDNAD sampled by forces in England and Wales); and 573,639 persons (14% of persons on the NDNAD sampled by forces in England and Wales) had no current conviction, caution, formal warning or reprimand recorded on PNC. The PNC records for the other 283,727 persons (7% of persons on the NDNAD) had

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been removed from the PNC. Records are removed from PNC for various reasons as explained above.

Please note this information is for people sampled by English and Wales forces only and not the whole of the National DNA Database.

4 total number of profile deleted (and samples destroyed)

As mentioned in the answer to question 1, the NDNAD holds both DNA profiles taken from crime scenes and individuals. DNA profiles taken from crime scenes may be deleted when the crime is solved, or when a decision has been made that the crime will not be investigated further, depending on instructions received from the force concerned. Although the crime scene profiles are deleted the DNA samples maybe retained under crime scene retention guidelines so that further work can be carried out on them if required. Examples of why further work maybe carried out are if there is an appeal in a case or if there is an update in forensic techniques.

Under the Police and Criminal Evidence Act 1984 (PACE), the police forces in England and Wales have the power to indefinitely retain profiles on the National DNA Database (NDNAD) derived from samples taken from persons arrested for a recordable offence and detained in a police station, regardless of whether they are charged or convicted. An individual may request from the force that took the DNA sample that consideration be given to removal of the profile from the NDNAD. While the decision on whether to agree to such a request lies with the Chief Officer of the force concerned, profiles will normally be retained unless the Chief Officer is satisfied that there are exceptional circumstances. Once the profile has been deleted from the NDNAD, the forensic suppliers which processed that DNA sample are then required to destroy the sample.

Crime Scene profile removals

	England & Wales Forces	Other Forces
2003	18180	465
2004	45094	485
2005	32732	719
2006	31340	1315
2007	24086	984
2008 to date	22550	580

Subject profile removals

	England & Wales Forces	Other Forces
2003	677	23493
2004	34	19160
2005	81	21580
2006	271	21969

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2007	310	21265
2008 to date	148	12776

The reason why there are a larger number of removals for 'other forces' than for 'England and Wales forces' is that the law in Scotland on retention of DNA samples and profiles differs from the law in England and Wales.

5/ total number of children aged 10-17 yr old for whom a profile is held

Number of subject profiles retained on the NDNAD as at 1/09/08 taken from subjects aged between 10 and 17 as at 1/09/08.

	England & Wales Forces	Other Forces
Total subject profiles	343745	10671

As mentioned above these figures refer to the numbers of profiles held on the NDNAD taken from people aged 10-17, they do not equate to the actual number of individuals on the NDNAD aged 10-17. The number of subject profiles on the NDNAD is higher than the number of individuals because some of the profiles held are replicates. Replicates arise from samples being taken from the same subject on more than one occasion for example where a person gave different names, or different versions of their name, on separate arrests or where a Police Force chooses to resample them to improve the discriminating power or evidential value of the sample.

6/ estimated total number of innocent children aged 10-17 yr old for whom a profile is held

Again, as mentioned previously, the NDNAD does not hold information on the arrest and criminal histories of the individuals from whom DNA samples are taken, this information can only be obtained from the Police National Computer (PNC). This information is not routinely available and it involves the writing of a special programme or script to obtain the relevant data.

The last report ran to obtain information on the numbers of people under the age of 18 on the NDNAD who have committed no offence was run from PNC on 10th April 2008.

The NDNAD data indicates that on 10 April 2008, there were 349,934 subject sample profiles relating to persons aged 10-17 on it. As explained there are more profiles than individuals due to DNA samples being taken from some individuals on more than one occasion, i.e. there is some duplicate sampling. It is estimated that from the current rate of profile replication that the 349,934 profiles are equivalent to 303,393 persons aged 10-17.

Data obtained from the PNC on 10th April indicates that of those estimated 303,393 persons, 264,297 (87.1%) had a conviction, caution, reprimand or had received a final warning and 39,095 (12.8%) had not been convicted, cautioned, received a final warning/reprimand and had no charge pending against them. The age figure is based on the date of birth recorded on PNC by the arresting police officer and it is known that for various reasons this is not always correct.

Under provisions in the Police and Criminal Evidence Act (PACE), the police forces of England and Wales may take without consent DNA and fingerprints from all persons arrested - including young persons aged 10-17 - who have been arrested, charged or informed they will be reported for or convicted of a recordable offence (essentially one punishable with imprisonment). The legal age of criminal responsibility in England and Wales is 10 so this power applies to anyone aged over 10.

Your right to complain

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 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

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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,

Lisa Thorpe
Front Line Support Officer
National Policing Improvement Agency