

Freedom of Information Section  
Information Compliance Unit  
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Durham Constabulary HQ  
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Aiming for  
EXCELLENCE

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Our Ref: CW/ICU/DC/FOI/422/08

Date: 15<sup>th</sup> December 2008

**This matter is being dealt with by Lynne A Davidson, Information Officer, Telephone No 0191 3752487**

Dear Mr Mery

**FREEDOM OF INFORMATION REQUEST REFERENCE NO: 422/08**

I write in connection with your request for information, dated 17<sup>th</sup> November 2008, which was received by Durham Constabulary on the 18<sup>th</sup> November 2008. I note you seek access to the following information:

*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.*

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Please note that Durham Constabulary's response to your request is unique and should

not be used as a comparison with any other Force response you receive.

Following receipt of your request, searches were conducted with the Scientific Support Department and the Information Department of Durham Constabulary. I can confirm that the information you have requested is held by Durham Constabulary.

**Decision:**

I have today decided to disclose the located information to you in part as follows.

**Disclose**

**In relation to question 1)** *For each calendar year since 2002, how many DNA profiles were contributed by your force to the NDNAD.*

Please find the following table that details the total number of DNA profiles contributed to the National DNA database by Durham Constabulary from 2002 to 2008.

Please note that the figures relate to the date profiled and not to the date that the sample was taken. The increase in the totals from 2005 to 2006 are due to a profiling backlog which was carried over into the following year, and also the change in procedure from profiling those samples from individuals who were charged with a recordable offence, to include individuals arrested for a recordable offence.

| <b>Durham Constabulary</b>                                   |       |
|--|-------|
| <b>DNA profiles contributed to the National DNA Database</b> |       |
| 2002   | 5429  |
| 2003   | 4404  |
| 2004   | 4274  |
| 2005   | 5842  |
| 2006   | 7470  |
| 2007   | 5718  |
| 2008   | 4438* |
| <i>*To date as at 11th December 2008</i>                     |       |

**Not Disclose**

**In relation to the following questions –**

**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.)*

**In relation to question 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.*

**and**

**In relation to question 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.*

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

Please note that whilst Durham Constabulary holds information in relation to the circumstances where an individual's DNA sample has been obtained, there is currently no facility to easily access the information that you require. In addition, records are not readily available to identify the number of occasions where removal of DNA has been requested since 2002 and on how many occasions this was carried out. To retrieve accurate data would require a member of staff to individually check each record, where a DNA profile was recorded, i.e. a manual viewing and extraction of the information and at a conservative estimate, this would take at least 20 minutes per individual record held. Further research would then be required to determine whether or not any correspondence was received requesting a removal of the DNA and whether this was taken when arrested or volunteered. The cost of providing you with the information is above the amount to which we are legally required to respond. This is because the cost of identification, retrieval and potential redaction of the information EXCEEDS the "appropriate limit" as stated in the Association of Chief Police Officers (ACPO) Freedom of Information (Fees and Appropriate Limit) Regulations 2004 and Fees for Disclosure under Section 13 of the Freedom of Information Act 2000. The appropriate limit is £450 or 18 hours work at £25.00 per hour. I would also refer you to the Freedom of Information Regulations issued by the Department for Constitutional Affairs. Accordingly therefore, I will be unable to provide any information in relation to the number of DNA samples taken from arrested individuals or volunteers and the number of requests for removal of DNA (including whether or not this was carried out) under Section 12 of the Freedom of Information Act 2000.

In accordance with Section 17 of the Freedom of Information Act 2000, this letter represents a Refusal Notice for questions 2, 3, 4 & 5.

In order to provide you with some assistance, under Section 16 of the Freedom of Information Act 2000, I am able to inform you that since 2007 to date, Durham Constabulary has received **27** requests for the removal of records from the Police National Computer (including fingerprint and DNA records) and of these **5** were classified as exceptional cases and had the PNC, fingerprint and DNA records removed.

In order to provide you with further assistance, you may wish to consider contacting the National Policing Improvement Agency (NPIA) who may be able to advise you further. The website address is:

[www.npia.police.uk](http://www.npia.police.uk)

I do hope that the information provided is sufficient for your purposes and is of assistance to you.

Should you be dissatisfied with my decision in this case, please refer to the enclosed complaints rights information.

Your attention is drawn to the attached sheet which details your right to complain.

Should you have any further inquiries concerning this matter, please write or contact me on the above telephone number.

Yours sincerely

Lynne A Davidson  
Information Officer  
(Encs)

PERSONAL  
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