

David Cherry
Data Protection & FOI Officer
Email david.cherry@cumbria.police.uk
Tel: 01768 217194
Fax: 01768 217638

Chief Constable
Craig Mackey

Police Headquarters
Carleton Hall
Penrith, Cumbria
CA10 2AU
www.cumbria.police.uk



My Reference FOI 412/08
Your Reference

Mr D Mery

dmery@acm.org

13 January 2009

Dear Mr Mery

FREEDOM OF INFORMATION REQUEST

I write in connection with your request for information dated 17th November 2008, which was received by Cumbria Constabulary on that date. I note you seek access to the following information:-

I would appreciate, if in accordance with the FOIA, you can provide me by email with the following information concerning the processing of DNA records by the Cumbria Constabulary force:

- 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.

Your request for information has now been considered and I can advise you that Cumbria Constabulary do hold some of the information you seek and where this is the case I have today decided to disclose this to you, except where indicated below.

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With regards to questions 1 and 2, information relating to the number of DNA samples taken and profiled in each year since 2002 is shown below: -

Year	No. Samples taken	No. Samples profiled
2002	4561	4175
2003	4387	3236
2004	5759	4805
2005	6437	5264
2006	5652	5075
2007	5530	4407
2008	6534	5810

The difference between the number of samples taken and the number that have been profiled is largely due to cases where a duplicate sample has been taken (i.e. a sample has been taken when a DNA profile for the subject is already held).

Whilst the Constabulary will hold information relating to the number of individuals who volunteered their DNA samples to the Constabulary this information is not recorded in an easily retrievable format. The cost of providing you with this information is above the amount to which we are legally required to respond, i.e. the cost of locating and retrieving the information would exceed the "appropriate limit" of 18 hours as defined by the Freedom of Information (Appropriate Limit and Fees) Regulations 2004.

In accordance with the Freedom of Information Act this letter represents a Refusal Notice for this particular request.

The information the Constabulary holds relating to requests for removal of DNA samples are those requests where an individual has requested the deletion of his/her Police National Computer record, DNA sample and profile and fingerprints. In accordance with the Association of Chief Police Officers Retention Guidelines for Nominal Records held on the Police National Computer, a request for any one item is construed as a request to remove all items.

Having conducted a search of miscellaneous correspondence records held within the Data Protection and Freedom of Information Section, the following number of requests to remove any of the items referred to above have been received.

Year	Number of requests For removal of items	Number of requests agreed to
2007	9	2
2008	10	6

Please note, these records are only held from 1st January 2007. Two of the cases referred to in 2008 are still being considered.

The systems used for recording these figures by different forces are not generic. It should be noted that for this reason, this force's response to your questions should not be used for comparison purposes with any other response you may receive.

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COMPLAINT RIGHTS

Your attention is drawn to the information at the foot of this page and also to the attached sheet detailing your right of complaint.

Should you have any further enquiries about his matter, please write or contact me on the above telephone number. I would like to take this opportunity to thank you for your interest in Cumbria Constabulary and to apologise for any inconvenience you have experienced as a result of the delay in responding to your request.

Yours sincerely

David Cherry

Data Protection & Freedom of Information Officer
Professional Standards Department

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Cumbria Constabulary provides you the right to request a re-examination of your case under its review procedure (copy enclosed). If you decide to request such a review and having followed the Constabulary's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.