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Mr David Mery
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Date: 27th January 2009

Tel No.: (DDI) 01622 654413

FOI Ref.: 8816-2008

Dear Mr Mery,

FREEDOM OF INFORMATION REQUEST

I write in connection with your request for information received by Kent Police on the 18th November 2008 wherein you sought access to information relating to the processing of DNA samples by Kent Police. I am conscious that this response arrives with you sometime after the twenty working day time limit permitted by the Act has expired and for this failure in our service I apologise.

Following receipt of your request, we have consulted with those departments who deal with this kind of information and researched whether it is possible to comply with your request. We can now respond to each of your questions as follows:

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.)

Answer to Q.s 1,2, and 3:

Kent Police records do not date back as far as 2002. Further, to answer your request would far exceed the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the "appropriate level" as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice for this part of your request.

It would be possible to reduce the request in size in order to provide an answer within the time limits, for example by limiting the scope of the request to the last two complete years. However, we have recently identified a problem with our records that we are in the process of rectifying which would mean that any information we could provide at this time would be inaccurate. Unfortunately, we are unable to provide a timescale for when this work will be complete as we are awaiting information from a third party.

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?

Answer: A table addressing questions 4 and 5 is included below.

Requests from Arrested persons				
Year	Received	Retained	Destroyed	Other
2002	No data	No data	No data	No data
2003	No data	No data	No data	No data
2004	No data	No data	No data	No data
2005	3	1	1	1 transferred to other police force
2006	10	9	1	
2007	4	3	1	
2008 (to 26 November)	13	3	4	6 under consideration or transferred to other police force

Requests from Volunteers				
Year	Received	Retained	Destroyed	Other
2002	No data	No data	No data	No data
2003	No data	No data	No data	No data
2004	No data	No data	No data	No data
2005	0	0	0	
2006	0	0	0	
2007	0	0	0	
2008 (to 26 November)	1	0	0	1 in progress

There is no data retained concerning calendar years 2002 to 2004 inclusive.

Many of the requests received in 2008 are second attempts where destruction was refused in 2006 and 2007.

Volunteers of DNA for elimination purposes would not normally be expected to subsequently request removal. At the time the sample is provided they are given options about retention of the sample and uploading to the NDNAD. Either they chose to have the sample destroyed after comparison or they offer to have it uploaded. This generally negates the need for them to apply for removal later.

Thank you for your interest in Kent Police and I hope that the information we have been able to provide is of use to you. A sheet, which summarised your rights, was enclosed with the acknowledgement sent to you and as suggested therein, should you have any further questions concerning your request, please contact me quoting the reference number shown above.

Yours sincerely,

Nigel Amos
Freedom of Information Advisor