



FOI Reference: 100/2009

Request:

As of the 4th of December 2008

- 1: How many DNA and fingerprint samples of innocent people have been Deleted?
- 2: How many innocent people requested their DNA and fingerprint Samples be deleted?
- 3: If no DNA and fingerprint samples have been deleted i wish to know the reasons WHY as the UK Government have been found to be in breach of innocent peoples human rights and this would be considered a crime in itself.
- 4: As there is no right of appeal from a final decision made by the Grand Chamber when will your police force be routinely be deleting records of innocent people ?

Clarification:

With regards to your question I wish to know from the 4th of December 2008 when the ruling was made to 30th January 2009

Further Clarification:

the term innocent for the propose of this request is someone who has never been convicted of a criminal offence, but you also raise another point ,when an individual that has been arrested and convicted but their conviction subsequently overturned are they not also innocent ?.

Response 1:

I can confirm that there is no information held by Dyfed-Powys Police in relation to your request in respect of DNA samples as no samples of innocent people have been deleted

I can confirm that Dyfed-Powys Police does hold the information requested in respect of fingerprints. For the period requested one set of fingerprints have been destroyed.

Response 2:

I can confirm that Dyfed-Powys Police does hold the information requested. For the period requested there have been four requests for DNA samples to be deleted.

I can confirm that Dyfed-Powys Police does hold the information requested. For the period requested there has been one request for Fingerprints to be deleted.

Response 3:

It has been determined that this part of your request is not a valid request under section 8 of the Freedom of Information Act as it asks for justification rather than recorded information.

However in accordance with the Act and under section 16 I am able to say that there is no information held by Dyfed-Powys Police

Section 82 of the Criminal Justice and Police Act 2001 removed the obligation to destroy fingerprints, impressions of footwear and samples from suspects who are arrested and subsequently cleared of the offence.

However it should be noted that at the time of the European Court of Human Rights judgment it was made clear to police forces that existing law on DNA retention remains in place while the Government consults on a legislative response. ACPO advice to chief officers has simply reflected this legal position, which has been communicated to us by the Government, because it is clearly important the police service acts according to current law.

The police service believes it is vital the DNA database remains reasonable and proportionate and retains the full confidence of the public. We welcome public debate and look forward to new legislation coming forward speedily to address this issue.

Response 4:

I can confirm that there is no information held by Dyfed-Powys Police as there is no such information recorded.

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The police service believes it is vital the DNA database remains reasonable and proportionate and retains the full confidence of the public. We welcome public debate and look forward to new legislation coming forward speedily to address this issue.