

Paul Burke

By e-mail to request-13142-ca388862@whatdotheyknow.com

Our Reference: 46767

6th July 2009

Dear Mr Burke,

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 8th June 2009.

You asked for the following information:-

Please advise how many Government Ministers, former Government Ministers and Members of Parliament have through supporting the policy of DNA collection, had their names placed upon the database?

Further to this request, should any Government Minister, former Minister or Member of Parliament be named on the database, have any sought to have their name removed from the database?

I am writing to advise you I have established that the information you requested is not held by the NPIA.

The National DNA Database (NDNAD) holds very little information about a subject's identity – only their name, date of birth, sex and ethnic appearance. It does not contain the details of somebody's occupation. We would therefore be unable to identify whether there were profiles retained on the NDNAD taken from government ministers, former government ministers or members of parliament on the NDNAD and consequently would be unable to determine whether any Government Ministers, former Ministers or Members of Parliament have had their profiles deleted from the NDNAD.

The NDNAD does not hold information on the individual cases for which DNA samples were taken or in the case of volunteer samples the reason the sample was

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22 Upper Ground, London, SE1 9QY

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London, SW1H 0NN

T 020 7147 8200
F 020 7147 8201
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taken; we would therefore be unable to determine whether people had volunteered a profile to be on the NDNAD because they supported the policy of DNA collection.

The legal provisions governing the taking and retention of DNA samples and fingerprints for the NDNAD are set out in the Police and Criminal Evidence Act 1984, as amended by the Criminal Justice & Police Act 2001 and the Criminal Justice Act 2003. They provide that both DNA and fingerprints may be taken from a person arrested for a recordable offence and retained indefinitely. People can also voluntarily provide a sample for loading to the NDNAD. The majority of volunteer samples are obtained from victims, third parties (other people who could have legitimately been present at the crime scene) or a member of a population identified for an intelligence-led screen, for elimination purposes in relation to the investigation of a specific offence. Volunteer DNA samples may only be taken with the person's written consent to giving a DNA sample in order to assist the police investigation. The resulting DNA profile is then compared in the forensic laboratory with the DNA material recovered from the crime scene. Volunteer subject sample profiles are only added to the NDNAD where the individual has also given separate written consent for their profile to be loaded and retained on the NDNAD for searching against other unsolved crime scene profiles.

In relation to the removal of records, under the provisions in PACE, the decision on whether to agree to a request from an individual to have their DNA profile, fingerprints and associated records removed from police databases lies with the Chief Officer of the force which took the DNA sample and fingerprint records.

The Home Office issued a consultation document on 7 May 2009 which sets out a range of proposals for a new retention framework for DNA and fingerprints which focus on public protection and achieving a proportionate balance between the powers of the police to tackle crime and safeguarding the rights of the individual. The consultation will last for 12 weeks until 7 August.

Under data protection legislation we would only release the details of individuals retained on the NDNAD when dealing with subject access requests. These requests allow individuals to request their data held on the NDNAD. Personal information is exempt under section 40 of the Freedom of Information Act.

Further statistical information relating to the NDNAD is published in the National DNA Database Annual Reports the latest of these is available for download on the NPIA web-site at <http://www.npia.police.uk/en/11403.htm> . Previous years reports are available for download from the Home Office web-site at <http://www.homeoffice.gov.uk/science-research/using-science/dna-database/>.

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

National Policing Improvement Agency

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:

Director of Resources
National Policing Improvement Agency
10-18 Victoria Street
London
SW1H 0NN

E-mail: david.horne@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

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,

NDNAD Delivery Unit

NPIA.