

Paul Honigmann

request-23923-987e461f@whatdotheyknow.com

Our Reference: 46988

23rd December 2009

Dear Mr Honigmann,

I am writing with reference to your request for information regarding the DNA database, dated 29th November 2009 made under section 1(1) of the Freedom of Information Act.

You asked for the following information:

The NDNAD is based on physical samples of DNA taken from suspects, volunteers etc. From time to time people are taken off the database. In these cases, the official documents concerned always seem to refer to the profiles being removed, but not the destruction of the original DNA sample; nor do they reference what happened to profiles stored in backups of the NDNAD. Therefore,

- 1. Can you confirm that when a profile is removed, the profile is also removed from backups?*
- 2. Is the profile removed permanently, or ever restored from backups or samples or off-site copies at suppliers?*
- 3. Can you confirm that ALL of the DNA samples are also destroyed? If so please describe the procedure(s) involved and attach a sample of the forms used to audit this. (This procedure may vary as I understand some DNA samples are held by commercial firms on behalf of the NPIA for a small annual fee).*

I am writing to advise you I have established that the NPIA holds the information you have requested.

- 1. Can you confirm that when a profile is removed, the profile is also removed from backups?*

When a profile is deleted from the National DNA Database (NDNAD) it will be removed from the NDNAD back ups. Currently the NDNAD back ups are retained for a 2 week period after this they are deleted.

2. Is the profile removed permanently, or ever restored from backups or samples or off-site copies at suppliers?

In the majority of cases profiles would be deleted permanently. The only time profiles would be reloaded to the NDNAD would be at the request of the force. For example if they have requested the deletion of a profile in error. When profiles are deleted from the NDNAD they are also deleted from the NDNAD back ups therefore profiles have to be re-loaded from the original load records held by the Forensic Service Providers.

3. Can you confirm that ALL of the DNA samples are also destroyed?
If so please describe the procedure(s) involved and attach a sample of the forms used to audit this. (This procedure may vary as I understand some DNA samples are held by commercial firms on behalf of the NPIA for a small annual fee).

All of the physical DNA samples which are processed by Forensic Service Providers (FSP's) are held by the FSP's on behalf of the police forces. The original physical samples for all profiles which a force request the deletion of from the NDNAD, under the exceptional case removal procedure, or because the profile was taken unlawfully for a non-recordable offence, are destroyed by the FSP's.

The then Home Secretary, the Rt Hon Jacqui Smith MP announced on 16 December 2008 that the DNA *profiles* of all children aged under ten would be removed from the NDNAD. Following the Home Secretary's announcement, the Chair of the NDNAD Strategy Board, Mr Gary Pugh, wrote to the Chief Constables of all forces in England and Wales asking them to remove the profiles of any children aged under 10 on the NDNAD. The removal of these profiles from the NDNAD was completed and the original samples were destroyed for those cases which were completed. If the sample was taken for an on-going case the profiles were deleted from the NDNAD but the samples can be retained for the duration of the case. The Police and Criminal Evidence Act 1984, as amended, provides that volunteer samples must be destroyed as soon as they have fulfilled the purpose for which they were taken. In practice, this is taken to be when the case is resolved.

The NDNAD delivery unit (NDU) is responsible for overseeing the removal and destruction of all of these samples. The NDU will send the FSP's, via e-mail, the original deletion form submitted by the force to request destruction of the sample. The FSP's are then required to confirm destruction of the sample to the NDU. Copies of the forms which must be completed for these procedures are enclosed with this response.

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 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:

David Horne
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