



Home Office

Corporate Services
2 Marsham Street
London SW1P 4DF

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(switchboard)

www.homeoffice.gov.uk

Mr Mark Ritchie
Via e-mail to request-276756-37cfcd5e@whatdotheyknow.com

15 July 2015

Freedom of Information request (our reference: 35863)

Dear Mr Ritchie,

Thank you for your e-mail dated 25 June 2015 in which you ask for information regarding your basic criminal record check. Your request has been handled as a request for information under the Freedom of Information Act (FOIA) 2000.

You asked for the following information:-

I have been informed that the responsibility of a persons criminal record now lies with you as the Home office as the NPIA has ceased to exist.

I would like to know what remedies are available to a person when completely false information is put onto the PNC by a Police Force. The force i am particularly referring to here is South Wales Police and have consulted with them and asked them for this information but they have been very uncooperative in getting to the bottom of this issue. I would like to know what measures the home office takes when the force that put this data onto the PNC refuses to take it off even when they cannot produce a shred of evidence to back up the legitimacy of the information on there.

Whilst the Home Office supports and maintains the Police National Computer (PNC) on behalf of the police forces, and is the government department accountable for policing in the UK, we cannot comment on or assist with individual cases or investigations. The Home Office acts as data processor for national police systems, such as the PNC, but is not classed as a data controller. The Chief Constables of the police forces of England and Wales are classed as data controllers in concert for personal information held on national police systems. I appreciate that this distinction may appear legalistic, but the fact that the Home Office is not a data controller for the purposes of the PNC, as defined in the Data Protection Act, means that we do not and cannot affect the records which PNC holds.

I suggest you pursue this with the force concerned or seek your own legal advice. Alternatively, if you consider that the PNC holds inaccurate personal data, you may wish to

approach the Independent Police Complaints Commissioner or the Information Commissioner's Office (ICO).

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 35863. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
e-mail: info.access@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Andy Woodgate
Information Access Team

