

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

XXXXXX – by E Mail

Date: 16th February 2023

Your ref: FOI

Our ref: FOI 2023 / 170

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 1st February 2023 concerning Custody Images and deletion process.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and – having consulted our ICT, Records Management, Custody and Data Quality Team - I am now able to respond as follows.

You wrote (and Our Response) :

I am writing to request the following information from your police force:

- 1 The number of individuals' images held in your forces' custody image database
 - NB – if the number of individuals cannot be ascertained, please provide the number of images in the database

No information held – see note below

- 2 The number of new individuals' images [or images, if the number of individuals cannot be ascertained] uploaded to your forces' custody image database in 2022

No information held – see note below

Please Note

There is no obligation on an Authority to provide an explanation if they are providing a No Information Held response, however in this instance I am happy to provide some additional context.

- Wiltshire Police do not have a “Custody Image database” per-se.
- All images of individuals are held on the respective person records held on our Niche RMS crime recording system.
- We currently have 407,402 individual images held on our Niche system against our person records – these however are not all custody images.
- We have no way of being able to determine from records held in Niche how many of these images are custody images or how many are held for other reasons (such as missing person info, intelligence images, images of vulnerable individuals etc).
- During 2022 there were 22,761 new images added onto our Niche system, but once again, these will not have all been custody images. Some of these images will have been for missing persons, vulnerable people, etc). Again, we have no way of determining which of these were Custody Images specifically.
- When an individual makes a visit to one of our Custody Suites 3 images are taken (one front on and two in profile) and will be photographed per visit (ie the same person could have multiple images captured per year if arrested multiple times per year).
- If an individual is arrested on warrant, Police do not have the power to take photographs, so in those cases, it is possible for an individual to be arrested / attend custody and not be photographed.

3 The number of requests for the deletion of images in your custody image database received by your force in 2020, 2021 and 2022 (provided separately please)

2020 21 individual requests

2021 27 individual requests

2022 16 individual requests

4 The number of these requests that were agreed to by your force, in each of those years.

2020 6 requests approved

2021 7 requests approved

2022 2 requests approved

5 A copy of any leaflet or information provided to arrestees by your force “explaining their rights to have their custody image deleted under certain circumstances”, and any document/guidance given to officers on when to make this information available to arrestees.

Please refer to the attached guidance document used by our Custody Teams and a copy of the poster displayed in Custody for the public :-

Custody Image Deletion Guidance.pdf

Custody Image Deletion Guidance Poster.pdf

The Custody Image Deletion Guidance is also available to members of the public accessing the section of the Wiltshire Police’s website that allows an individual to apply to have their records amended, deleted or restricted.

I would like all documentation sent electronically please.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Nick Penny
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk