

**Police Headquarters**

London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 10th February 2025

Our ref: FOI 2025/054

Reply contact name:

Dear

I write in connection with your request for information dated 14th January concerning custody images.

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 I am able to respond as follows.

You wrote:

My FOIA request is in relation to the date range 01/01/24 to 31/12/24.

Please provide the following;

1. Total number of individuals who have images held in the forces' custody image database across 2024
2. Number of individuals who have had images added to the forces' custody image database
3. Number of individuals who have had all of their images deleted from the forces' custody image database
4. Number of individuals who have been released from custody after receiving no charges
5. Number of individuals who have been released from custody after receiving no charges, and have subsequently had all of their images removed from the forces' custody image database
 - a. Please also list the number of these individuals (no charges) who have requested to have their custody images deleted

6. Total number of image deletion requests submitted to the MPS
 - a. Also include a numerical breakdown of those accepted or declined
7. Please also confirm if the custody image database is used by any facial recognition services / processes
 - a. If so, please list which ones.

Response:

The information that you are requesting for the majority of your request is not stored in a way which permits easy retrieval.

During 2024 there were 27,237 new images added onto our Niche system, 457,974 individual images held on our Niche system against our person records. These will not have all been custody images. Some of these images will have been for missing persons, vulnerable people, etc). The only way to establish if the images were for custody, would be to view every image.

For information, when an individual makes a visit to one of our Custody Suites, generally 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).

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

Please note, that if one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Ordinarily under our Section 16 duty to provide advice and assistance, we would advise you how to refine your request, however, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Keeping Wiltshire Safe

In accordance with Section 17 of the Act, this letter represents a Refusal Notice for this particular request.

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

Force 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



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.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

Keeping Wiltshire Safe

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

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>