

13 February 2025

FOI Ref 17668

Request - You asked us the following:

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 Staffordshire Police
 - 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.

We received your request on 14/01/2025 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemption has been applied:

- Section 12(2) In order to identify whether or not information is or isn't held would exceed the cost threshold in accordance with Section 12(2) of the Freedom of Information Act as in order to satisfy S1(1)(a) of the Act would exceed the cost threshold.

The above information has been withheld for the following reasons:

There is no method by which we can readily identify or locate the information within Staffordshire Police systems to answer this request. This is because on 20th May 2020 Staffordshire Police implemented a new case management system. This system brought data from a number of legacy systems into one to provide a single nominal record, including the custody system. The old custody system has now been

decommissioned; however, data from this system is still held on a legacy database with minimal search facilities.

The information you require is not stored in a way which allows for easy identification or retrieval. Each time an individual is taken into custody a new image will be generated and stored and, whilst it may be possible to determine the number of images held, there is no way to determine how many individuals these images relate to. Therefore, in order to determine the total number of individuals who have images held on the custody image database, a manual search of all logs would be required. Once determined, these records would then need to be cross referenced with those held on the legacy database to identify any duplicate records or further anomalies.

Responding to the additional elements of this request further compounds the issues, with the current data extraction tools at our disposal there is no method by which we can extract the number of images which have been added to our systems within the timescale indicated.

With regards to question 4 and 5, all custody records in the time period requested would need to be manually reviewed in order to ascertain whether the individual had been released from custody after receiving no charges. To extract this data would therefore require a very labour-intensive manual trawl through each record. This is further compounded when we take into consideration that subsequent reviews of this data will have occurred and records deleted and, in such cases, the record no longer exists and we would be unable to determine whether a charge was or was not applied to the deleted record.

To achieve these tasks and in certain instances determine whether data is held would therefore exceed the 18-hour time and cost threshold of the Freedom of Information Act by some considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

To assist in refining your request, data could be provided for question 3, 6, 6a and 7; however, please be advised that further exemptions may apply.

Please be advised that all Freedom of Information request responses are published on the Staffordshire Police website although personal details are not included.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire 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 within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

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 Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central 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 20 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

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit