

c/o PO BOX 481  
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28/03/2023

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 077/2023**

Thank you for your request for information regarding custody image management, which has now been considered.

**Applicant Question:**

A Data Protection Impact Assessment [published by Cheshire Constabulary](#) notes that: "In February 2022 the NPCC lead for Records management (Chief Constable Lee Freeman) wrote to all chief constables to provide an update in relation to the review of custody image management."

Please could you provide a copy of this update?

**NPCC Response:**

The NPCC does hold information captured by your request and I have pleasure in providing a letter written by Chief Constable Lee Freeman and circulated to all Chief Constables including Home Office Custody Image Deletion Guidance with minor redaction by virtue of S31 Law enforcement.

For further information relating to the legislation, please see Annex A.

Yours sincerely

Sherry Traquair  
Freedom of Information Officer & Decision Maker

[www.npcc.police.uk](http://www.npcc.police.uk)

**COMPLAINT RIGHTS**

**Internal Review**

If you are dissatisfied with the response you have been provided with, in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 40 working days of the date of this response. The handling of your request will be looked at by someone independent of the original decision, and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.



If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

## **Annex A**

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

### **The legislation: Section 31 Law Enforcement**

Some email addresses are contained within the correspondence and disclosure of direct contact details would enable an individual, intent on committing an offence to make contact with the department, pose as a police officer or member of police staff and try to glean information which would assist in their offending behaviour.

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The police service primary performance indicator is the reduction of crime, and disclosure which has a negative impact on that agenda affects public trust in policing and in this case may make it more difficult to police.

With regard the evidence of harm itself, there is a threshold that requires the predicted issues to be 'more than likely'. In the case of an offender identifying full investigative techniques or gleaning information which would assist in offending behaviour can be difficult to establish and evidence the harm without actually disclosing exempt information. However, the principles are well established in terms of Freedom of Information legislation that to a certain extent the professional opinion of the police must be taken into account.

### **Legislation – Section 16**

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.