



QUESTIONS FROM POLICE & CRIME PANEL MEMBERS TO THE POLICE AND CRIME COMMISSIONER – FRIDAY 29th SEPTEMBER 2017

In accordance with Procedure Rule 11 (General Questions from Members of the Panel), the following questions had been submitted together with the responses from the PCC:-

Question from Mr Alan Carter

"It is understood that, assuming their knowledge of how to go about it innocent, i.e. so-called "unconvicted" people may apply for the deletion from police records of their custody image - there being a presumption that this will then be automatically deleted unless its retention is deemed necessary for an operational policing purpose and/or there is an exceptional reason to retain it.

Whilst recognising the need to strike a careful balance between protecting individual privacy and giving the police the tools they need to keep us safe it is also to be recalled that a High Court ruling of 2012 asserts that the retention of custody images of such persons is unlawful.

Despite concerns having been raised by the Commons Science and Technology Committee over the lack of controls or safeguards, police forces apparently routinely continue to build up a massive and largely unregulated photographic database, readily capable of biometric scanning but without any of the controls or privacy safeguards that apply to police DNA and fingerprint databases.

Has the Commissioner any concerns about this issue and does he have a view about the South Yorkshire Police's access to a database of images of potentially a great many individuals who have never been charged with, let alone convicted of, an offence?"

Response

At the current time, South Yorkshire Police are only responding to requests for photographs to be removed on a case by case basis as set out in the Home Office guidance.

A meeting is planned (4 October) with the relevant business leads to introduce the necessary processes to address the wider position of retention of photographs. For requests to have data removed, South Yorkshire Police will adopt a similar process to the one used nationally for the removal of DNA and fingerprints.

Currently, the wider retention of photographs is carried out under the Authorised Professional Practice (APP) Management of Police Information. The processes around retention and deletion of photographs will also form part of the CONNECT implementation plan.

Question from Cllr Brian Cutts

I am referring back to the last public demonstration in Rotherham that was police controlled, what was the level of liaison between SYP and RMBC?

Who is responsible for what and who determines the level of restraint and final approval?

Is there a final assessment, is there a de briefing?

Response

The planning for the EDL protest on 25th February 2017 started in January when we were notified of it taking place. Liaison with RMBC took place at multiple levels throughout the planning and delivery phase. The Gold Commander (ACC Forber) met with both the Chief Executive and the Leader of the Council during the planning phase. RMBC representatives were present at every strategic and tactical planning meeting, and were present in Gold and Silver Control on the day.

All decisions regarding the route and the method of policing the event rest with the Gold Commander, in this case ACC Forber. While extensive consultation took place with different stakeholders and the community, these decisions are based on the best possible option in order to prevent harm to people and to minimise crime and disorder.

ACC Forber attended a meeting at RMBC Council Chambers on 22nd February (which I believe Cllr Cutts was present at) where he fully explained the policing strategy for the protest and how intended to ensure there was no disorder.

A full multi-agency debrief was conducted after the event which involved senior officers from RMBC.