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02/11/2017

Dear Alex,

**RE: Ethical advice on the retention of DNA profiles, fingerprints and custody images from convicted persons until they are 100 years old.**

In the commissioning letter for the Biometrics & Forensics Ethics Group (BFEG) for 2017 (dated 29<sup>th</sup> November 2016), the group was invited to consider the ethical issues in relation to the retention of DNA profiles, fingerprints and custody images from convicted persons until they are 100 years old. At its meeting in June 2017, the BFEG had a preliminary discussion of these issues.

I summarise the BFEG's discussion below:

1. The majority of members of the BFEG favoured a fixed retention period for biometric data, from convicted offenders, over an indefinite retention period. They held the view that 100 years of age was a suitable period of retention which encompassed the entire life span of most individuals whose records were held on the PNC.
2. However, the majority of members of the BFEG also thought there would be value in considering differential retention periods for certain individuals. Specifically, those convicted, at a relatively young age (but above 18 years of age), of offences which, whilst relatively minor offences, are sufficiently serious to allow for their biometrics to be retained indefinitely under the current legislation.
3. A minority of members of the BFEG favoured an indefinite retention period for biometric data for all convicted offenders. A key element of the argument was that introducing fixed retention periods would divert resources away from areas of higher priority and that indefinite retention would assist with the investigation of historic offences.
4. The BFEG highlighted that research into patterns of reoffending was limited which made it difficult to understand the utility of holding biometric data from an individual indefinitely or for long periods of time, following their latest conviction. The BFEG would be supportive of commissioning research which would provide evidence of patterns of re-offending.

The BFEG recognises that the issue of retention periods and the possible need to revisit them in a systematic fashion will require consideration of the available data and the modelling of possible alternative approaches. This would allow for the understanding of the impact of change on the prevention of crime and the apprehension of offenders, in order to analyse the proportionality of the choices which society faces. We look forward to taking an active part in this discussion and would encourage the Home Office to formulate policy on the basis of the best available evidence and in the light of careful ethical consideration. We will start the process of a more detailed review of this issue at our next BFEG meeting.

Thank you for your time in considering the BFEG's current position.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C Hughes', written in a cursive style.

Chris Hughes  
Chair, Biometrics & Forensics Ethics Group