



ASSOCIATION OF CHIEF POLICE OFFICERS

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National Policing Business Area	Child Protection and Abuse Investigation
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Peter Wanless
Home Office
2 Marsham Street
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Dear Peter,

Re: Police Records Management

I am writing in my capacity as the National Policing Lead for Child Protection and Abuse Investigation. Following our meeting on 3rd September 2014, I thought that it would be helpful if I wrote to you setting out the current police approach to information management with particular regard to Child Sexual Abuse.

In July 2005, the Home Secretary issued a statutory Code of Practice on the Management of Police Information (MOPI). MOPI sought to address the issues identified by Sir Michael Bichard in his inquiry into the way the police service gathers, manages, uses and shares information. The principles set out in MOPI remain today and guidance exists which seeks to provide a common national framework for the management of police information, including retention, review and disposal. The Guidance sets the minimum standards for the police service which all police forces are encouraged to adopt. They are not mandatory and there will be occasions when individual police forces will deviate from them for a variety of technical, operational and organisational reasons. The ultimate responsibility for the retention and disposal of police information rests with the Chief Constables who are the data controllers under the Data Protection Act 1998.

Retaining information relating to criminal activity and known and suspected offenders allows the police service to develop a proactive approach to policing. It assists forces to prevent and detect crime and protect the public. Retaining every piece of information collected is, however, impractical and unlawful. Consideration is therefore given to the types of information that need to be retained and the practical implications of storing these records in their various formats. National Retention Assessment Criteria (NRAC) exists to enable scheduled reviews of information to take place against an agreed framework. If the individual under review meets any of the criteria set out in the NRAC then the retention records relating to them is considered proportionate to the level and type of risk that they pose. These records must, therefore, be retained and reviewed at a later date. The key points relating to the NRAC are:

- The infringement of an individual's privacy caused by retaining their personal information must satisfy the proportionality test
- Forces should be confident that any records they dispose of are no longer necessary for policing purposes
- There should be a consistent approach to retaining police information
- Records which are accurate, adequate, up to date and necessary for policing purposes are held for a minimum of six years from the date of creation, thereby helping to ensure that forces have

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sufficient information to identify offending patterns over time, and to help guard against individuals' efforts to avoid detection for lengthy periods

- Beyond the six-year period, there is a requirement to review whether it is still necessary to keep the record for a policing purpose. The review process specifies that forces may retain records only for as long as they are necessary. The NRAC template provides guidance on establishing whether or not information is still needed for a policing purpose.

MOPI makes it clear that there are certain categories of offending (termed Group One) that are so serious that they necessitate longer periods of retention for any relevant material. Child sexual offences fall within this group and as a consequence, any information is retained until a subject has reached 100 years of age. This information should be reviewed every ten years to make sure that it is adequate and up to date. As well as confirmed offences, Group One includes suspected or alleged offending. Information retained under this grouping can include intelligence of any grading. This position has particular relevance to the matters of concern within your review and demonstrates a clear difference to how material might have been handled during the period that you are considering.

Practically, the above guidance means that upon receipt of any referral, complaint or other information relating to child sexual abuse, the Police should assess, grade, act and then retain it until the subject reaches 100 years of age. This is regardless of the nature of the information (crime, allegation, intelligence, referral) or the action that the Police have taken. I am very aware that there can be considerable lengths of time between sexual abuse taking place and the victim reporting the offence. These retention periods reflect this position ensuring that any information that might be relevant to offences where there is delayed reporting is available to investigators once a report is made. The guidance reflects the best interests of the child.

I do hope that this letter provides you with information of use to your ongoing review.

Yours sincerely,



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