



Disclosure ref: 33 Sent: 25<sup>th</sup> June 2019

## Freedom of Information Act 2000 Request

### *Questions in regards to criminal records*

#### Request

***Q1. When the CPS are arranging a prosecution case how do they check if the defendant has a previous criminal record, who is responsible for maintaining and updating the criminal record database, where is the data stored, is it a police maintained database, is there a charge for accessing the database, is the stored data supplied in an encrypted form, and who has authorised access to search the records? - The police submit the CPS with a case at the start of a prosecution and this includes a print out from the Police National Database that details any convictions.***

***Q2. What is the official name for the database of offender's prosecution records? - The Police National Computer.***

***Q3. Regarding historic criminal records for an individual, how long is the data kept on file, what is the deletion policy, and does the data include convictions in Scotland or whilst abroad? - The policy for retention of data and what data to store on the PNC?***

***Q4. How does the CPS send documents to any alleged offender of no fixed address and who refuses to engage with the legal system by refusing to seek the representation of a solicitor?***

#### Response

The police submit a case to the Crown Prosecution Service (CPS) at the start of a prosecution and this includes a print out from the Police National Computer (PNC) that details any known convictions. The management of the PNC is operated by the police the CPS has no independent access to the PNC.

The official name for the database of offender's prosecution records is known as the Police National Computer (PNC).

The policy for retention of data and what data is stored on the PNC is managed by the police.



The policy varies between police forces, some operate self-service on the defendant. This is a case where the defendant is known to the police. If the CPS is unable to serve case material on the defendant electronically or where the defendant has no fixed address, the case papers are printed out at the first hearing in the magistrates' courts and handed to the defendant on the day of the hearing.

Under section 16 of the FOI Act there is a duty to provide advice and assistance; you may find it helpful and worthwhile to refer to the Police for questions one to three as they may be able to assist you further. Please see link below:

<https://foi.directory/police-forces/>

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