

Home Affairs Committee

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From the Committee Chair

Rt Hon Priti Patel MP
Secretary of State
Home Office
2 Marsham Street
SW1P 4DF

15 January 2021

Dear Secretary of State

Deletion of data from the Police National Computer

I am writing following the report in today's *Times*, and elsewhere, that a software error has resulted in the accidental deletion of a large amount fingerprint and arrest history records from police databases. First reported as 150,000 records, it is particularly concerning to learn that the true figure could be much higher, and that an accurate figure was not available straight away. The loss of records will clearly have long-term consequences for policing and security, and for victims of crime seeking justice.

To this end please could you answer the following questions:

1. Exactly when did the error occur?
2. Given the initial figure of 150,000 lost records was later reported as 400,000 records, can you please quantify the precise number of records that have been lost? Is there any further possibility that this number could be revised?
 - Why was the Home Office not able to ascertain an accurate figure straight away?
3. When were you made aware of the error? At what point did the Home Office intend to inform Parliament?
4. How did the deletion occur during what, according to reports, is a routine process carried out regularly?
 - What was done differently, or not done, that could have allowed this to occur?
 - What safeguards does the PNC have built into it, which seek to minimise the risk of accidental data loss or contamination? Were these safeguards operating fully at the time of the deletion?

5. What arrangements (if any) are in place routinely to back up and restore data erroneously deleted from the PNC and associated databases? To what extent have these arrangements proved effective in this incident?

- Why was it not possible to restore the estimated 150,000 records referred to in today's reports?
- Is it possible to reconstruct or replace any of the lost data from other sources? If so how, and how quickly, can this be done?

6. Could you explain the process behind 'weekly weeding' of the PNC, as referred to in coverage of the error?

- Does the estimated 150,000 figure for deleted records include records that were removed at the end of 2020 when the UK stopped accessing SIS II?
- Was the same weekly weeding process used to remove SIS II alerts from the PNC at the end of 2020? If not, why was a different process preferred in that instance?

7. Could you please provide more detail and statistics about the records that have been lost, to include categories and quantities of data? I understand that some elements of this information might need to be sent to the Committee privately.

8. Please could you explain how this loss of data interacts with records lost as a result of the UK losing access to the SIS II database? In particular, given the c.40,000 alerts on arrest and missing persons removed from the PNC as a result of leaving SIS II, how many persons of interest in total have been lost from the PNC since December?

9. What is the Home Office doing to make sure it is certain about exactly what data has been lost? What independent verification is planned?

10. What is your initial assessment of the effect of losing the data on:

- Policing operations
- Policing intelligence
- Possible future prosecutions
- The reputation of UK law enforcement with its international partners

11. What impact has the error had on the visa application system? Specifically, could you provide:

- The number of applications paused or delayed as a result of the lost information;
- The average time by which applications were delayed;
- What proportion of visa applications that had been paused are now able to proceed;
- What action the department has taken to inform affected individuals about possible delay;

- Where the loss of information materially affects the ability of the Home Office to grant a visa, how it will provide equivalent information to substantiate its visa decision

12. What action does the Home Office intend to undertake to ensure that lessons are learned from this error and to review processes that might have led to it?

- By when do you expect the Home Office to have completed an internal review? Will you share the main conclusions of that review with the Committee?
- Will you consider inviting HMICFRS or the National Audit Office to conduct their own review of the processes involved that might have led to this error?

13. The Police National Computer is due to be replaced by the National Law Enforcement Data Programme, as is the Police National Database. In its report on Major Projects 2019-20 the Infrastructure and Projects Authority (IPA) rated the NLEDP project as Amber/Red, meaning that “Successful delivery of the project is in doubt, with major risks or issues apparent in a number of key areas. Urgent action is needed to address these problems and/or assess whether resolution is feasible”.

In light of this, can you tell us:

- What major risks were identified during the IPA’s review?
- What urgent action has been taken to address these risks?
- Is successful delivery of the project still in doubt?
- How has the maintenance of the PNC been sustained to the required standard while NLEDP is in development?

14. The contract to deliver the NLEDP was awarded to IBM UK in October 2016, was expected to start in February 2017, and to run for two years at a cost between £10 million and £12 million.

- What is the current expected delivery date?
- What is the cost to date and estimated cost to complete the project?
- What is the impact of the late delivery of this programme on the support provided to law enforcement and other Agencies?

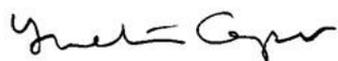
15. In October 2020 a Data Protection Impact Assessment of the Law Enforcement Data Service element of the new NLEDP found that there was “currently no process in place for reviewing and deleting court convictions on PNC. Agreement for LEDS processing of convictions needed between Home Office, MoJ, Court Services & Probation Service.” This was one of 17 risks identified in the assessment of the new service.

- Have recommended mitigations been put in place for this and the other 16 risks identified?
- Please provide a timetable and outline plan for the implementation of mitigations and monitoring of risks across the LEDS.
- Did this Impact Assessment lead to any changes in the management of PNC data that could have led to the erroneous deletion of records?

16. What checks and controls are included in NLEDP to prevent the errors like those discussed in this letter happening in future?

Please respond to these questions by 22 January.

Yours sincerely

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

Yvette Cooper MP