



**Date:** 05/05/2020  
**Our Reference:** FOIA-2020-0040  
**Your Reference:** N/A

*(Via e-mail)*

## **RE: Freedom of Information Act 2000 Request**

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 4 April 2020. I note from your request that you seek the following:

1. Guidance for police forces for extracting data from victims phones
2. National guidance for obtaining consent and due process for where consent is refused by a victim to have their phone extracted
3. National guidance on the next step if victims refuse consent to have data extracted with regards to ongoing case.

## **Decision**

After conducting careful searches for any information relevant to your request, I can confirm that there is no information held in relation to your request. In line with our obligation to assist under Section 16 FOIA 2000 I can inform you that the National Police Chief's Council digital device extraction form and accompanying information notice is publicly available on their website at [www.npcc.co.uk](http://www.npcc.co.uk). It may be helpful for you to contact them. Police officers are expected to adhere to all information law legislation including the Data Protection Act 2018 when conducting investigations. Please also note that the College of Policing is currently considering how best to assist policing in the area of digital data extraction, and that the Information Commissioner's Office is to release a report on this issue in the future that may have relevant content.

Your right of review is explained in **Appendix A**.

Yours sincerely,

## **Legal Services**

### **Information Management and Legal Services**

#### **College of Policing**

**Email:** [FOI@college.pnn.police.uk](mailto:FOI@college.pnn.police.uk)

**Website:** [www.college.police.uk](http://www.college.police.uk)

## **Your right of review**

Under the Freedom of Information Act 2000 you have a right to request an internal review if you are dissatisfied with our handling of your request. Review requests should be made in writing (by email or post) within **40 working days** from the date of our original response. We will aim to respond to your review request within **20 working days**.

### **The Information Commissioner's Office (ICO)**

If, after lodging a review request you are still dissatisfied, you may raise the matter with the ICO. For further information you can visit their website at <https://ico.org.uk/for-the-public/official-information/>. Alternatively you can contact them by phone or write to them at the following address:

#### **Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**

**Phone: +44 (0)1625 545 700**