



# Heddlu Police

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# DYFED-POWYS

FOI Reference: 1004/2018

### **Request:**

I write to request information and records under the FOIA, regarding your force's use of consent statements when requesting, accessing, analysing and disclosing personal information from complainant's of sexual offences. Specifically, I am asking the following:

1. a) Does your force collect digital information from devices belonging to complainants of sexual offences? If yes, please provide:
  - b) The legal basis under which you are doing this
  - c) Copies of any policy or guidance in relation to this practice
2. a) Does your force seek consent from complainants of sexual offences when requesting, accessing, analysing, or disclosing digital or personal information either from them or records from a third party organisation relating to them? For the avoidance of doubt, records from third party organisations includes but is not limited to medical records, counselling records, local authority records, educational records or rape crisis centre records. If yes, please provide:
  - b) A copy of the consent form/s or statement/s you use and require them to sign to show their consent
  - c) A copy of any information provided to complainants about this process
  - d) A copy of your policy or guidance in relation to this practice

### **Response 1a:**

I can confirm that Dyfed-Powys Police does hold the information requested, as outlined below.

Dyfed-Powys Police examines digital devices for evidence in sexual offences.

### **Response 1b:**

I can confirm that Dyfed-Powys Police does hold the information requested, as outlined below (*response applicable as at 18/12/2018*).

Dyfed-Powys Police examine devices that are lawfully seized under the Police and Criminal Evidence Act 1984. The force would review the devices to identify evidence of a criminal offence. Under the criminal Procedure and Investigations Act 1996 the police service are duty bound to explore all reasonable lines of enquiry, whether these point towards or away from the suspect.

### **Response 1c:**

I can confirm that Dyfed-Powys Police does hold the information requested. A copy of the relevant guidance can be accessed via the following hyperlink -

<https://www.cps.gov.uk/legal-guidance/disclosure-guide-reasonable-lines-enquiry-and-communications-evidence>

**Response 2a:**

I can confirm that Dyfed-Powys Police does hold the information requested, as outlined below.

Dyfed-Powys Police does request consent from complainants to obtain their personal information however there are occasions whereby the force can share and/or obtain information concerning an individual without that individual's consent to do so e.g. safeguarding situations.

**Response 2b:**

I can confirm that Dyfed-Powys Police does hold the information requested. Please see the attached documents titled 'Consent to access personal account', 'Annex C' and 'Goleudy Consent Form'.

**Responses 2c & 2d:**

I can confirm that there is no information held by Dyfed-Powys Police due to the fact that the requested information is not recorded by the force.

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**It should be noted that as a result of the systems adopted by Dyfed-Powys Police in relation to the recording of such information that the information released may or may not be accurate.**