

**Information Compliance & Records Management
Unit
Information Services Branch
Greater Manchester Police**

S. Carlo
Via [REDACTED]

Our ref: GSA 3542/18

When emailing or telephoning
please ask for Samantha Markham

24th June 2019

Dear S. Carlo

FREEDOM OF INFORMATION REQUEST REFERENCE NO: GSA 3542/18

I write in connection with your request for information dated 16/12/2018. I note you seek access to the following information:

- 1. Does your force collect digital information from devices belonging to complainants of sexual offences? If yes, please provide:**
 - i. The legal basis under which you are doing this**
 - ii. Copies of any policy or guidance in relation to this practice**
- 2. 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:**
 - i. A copy of the consent form/s or statement/s you use and require them to sign to show their consent**
 - ii. A copy of any information provided to complainants about this process**
 - iii. A copy of your policy or guidance in relation to this practice**

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm that some of the information requested is held by GMP, and is as follows:

Q1. In some circumstances, where relevant, proportionate and technically possible, the Digital Investigation Unit (DIU) retrieves evidence from digital devices belonging to complainants of sexual offences.

Q1.i. Generally, these devices will either have been seized under PACE or examined with the consent of the complainant.

Q1.ii. No data held. No forcewide policy relating to the collecting of digital information from devices belonging to complainants of sexual offences.

Q2. Digital and personal records obtained from complainants are obtained via the complainants consent and require a MG11 statement or pocket note book to be signed to confirm they are providing the item to GMP to be analysed for the purpose of the investigation.

Q2.i. & Q2.ii. Medical and counselling records are obtained via the complainant providing consent and signing Form 325 (attached) which includes the relevant legislation and guidance to the complainant regarding the purpose for obtaining the records.

Form 819B is also attached for requesting data from other organisations including education establishments. This form does not require a complainants consent, however the officer in charge would inform a complainant that this data will be obtained at the point of asking complainant for details of the establishment. The form includes the relevant legislation and guidance for obtaining personal information.

Q2.iii. No data held. No force wide policy specifically on this.

Complaint Rights

Your attention is drawn to the attached sheet, which details your right of complaint.

Should you have any further queries concerning this matter, please write or contact me on telephone number 0161 856 2511 quoting the reference number above.

Yours sincerely,

Samantha Markham
Information Compliance and Records Management Unit

COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to require Greater Manchester Police to review their decision.

Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision of Greater Manchester Police made under the Freedom of Information Act 2000 regarding access to information, you can lodge a complaint with Greater Manchester Police to have the decision reviewed.

Complaints should be made in writing and addressed to:

Information Compliance & Records Management Unit Manager
Information Services Branch
Greater Manchester Police
Openshaw Complex
Lawton Street
Openshaw
Manchester
M11 2NS

The Information Commissioner

After lodging a complaint with Greater Manchester Police if you are still dissatisfied with the decision you can make an application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make an application to the Information Commissioner please visit their website at www.ico.org.uk/. Alternatively, phone or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Phone: 01625 545 700