



Freedom of Information Request 1308/18

Response date: 6th December 2018

- 1. Is your force currently collecting digital information from devices belonging to complainants of sexual offences?**
- 2. Does your force currently have any digital devices awaiting examination?**
- 3. Does your force seek consent from complainants of sexual offences for the collection and/or disclosure of their personal information from their digital device or a third party organisation such as medical records, counselling records, local authority records or educational records?**
- 4. Has your force disclosed any digital information collected from digital devices belonging to complainants of sexual offences to the Crown Prosecution Service or the defendants' legal representatives?**

RESPONSE

Question 1

South Wales Police currently collects digital information from devices belonging to complainants of sexual offences.

Question 2

South Wales Police currently has digital devices awaiting examination.

Question 3

South Wales Police requests consent prior to the examination of any digital device that belongs to the victim of sexual violence. Confidential information can only be disclosed with the consent of the owner of the information under the Criminal Procedures and Investigation Act 1996 or by order of a Court.

Question 4

If digital information is classed as prosecution evidence in a criminal investigation it would be provided to the Crown Prosecution Service who would in turn serve that evidence on the defence.

The requirement to reveal relevant unused material to the Crown Prosecution Service is set out in law (Criminal Procedure and Investigations Act 1996) and is done by way of disclosure schedules where material is summarised and described to the Prosecutor. If the unused material has the capacity to assist the defence or undermine the prosecution case the material itself is provided to the Crown Prosecution Service who would decide if it should be disclosed to the defence.

THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT THE DATE ORIGINALLY PROVIDED.

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