

Subject: FREEDOM OF INFORMATION REQUEST REFERENCE NOs: West Mercia Police 10996 and Warwickshire Police 10997
Date: Mon, 4 Feb 2019 08:56:49 +0000
From: @ Freedom of Information <Freedom.Information@warwickshire.pnn.police.uk>
To: 'griff.ferris@bigbrotherwatch.org.uk' <griff.ferris@bigbrotherwatch.org.uk>

Dear Mr Ferris

FREEDOM OF INFORMATION REQUEST REFERENCE NOs: West Mercia Police 10996 and Warwickshire Police 10997

I write in connection with your requests for information which were received on 11th January 2019. Please find below the responses to your requests for West Mercia Police and Warwickshire Police information:

1. Is your force currently collecting digital information from devices belonging to complainants of sexual offences? For reference, “collecting digital information” in this context should be taken to mean and include any form of examination, access, extraction, copying or download of such digital information from digital devices, whether by self-service kiosks (SSKs), other device extraction software, or by external digital forensic examiners.

2. Does your force currently have any digital devices awaiting examination? If yes, please provide details of:
 - i. The number of devices currently awaiting examination.

 - ii. the average wait time for a digital device to be examined.

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?

REPLY:

West Mercia Police 10996

Warwickshire Police 10997

1. Is your force currently collecting digital information from devices belonging to complainants of sexual offences? For reference, “collecting digital information” in this context should be taken to mean and include any form of examination, access, extraction, copying or download of such digital information from digital devices, whether by self-service kiosks (SSKs), other device extraction software, or by external digital forensic examiners.

Yes

2. Does your force currently have any digital devices awaiting examination? If yes, please provide details of:

i. The number of devices currently awaiting examination.

Total Submissions = 300

Total Exhibits = 834

Total Phone Exhibits = 476

Total Computer Exhibits = 341

Please note that this is only the figure awaiting allocation, this does not reflect those allocated to examiners and in their own examination queue.

ii. The average wait time for a digital device to be examined.

There is no specific information held. The Force Digital Forensics Database does not give information regarding waiting times for individual exhibits.

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?

Yes

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?

Yes

Every effort has been made to ensure that the information provided is as accurate as possible.

Your attention is drawn to the below which details your right of complaint.

Should you have any further enquiries concerning this matter, please write or telephone the Information Compliance Unit quoting the reference number above.

Yours sincerely

Mrs E Ball

Information Compliance Unit

Warwickshire Police and West Mercia Police

First Floor

Rugby Police Station

Newbold Road

Rugby

Warwickshire

CV21 2DH

Warwickshire Police in complying with their statutory duty under sections 1 and 11 of the Freedom of Information Act 2000 to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to

reproduce any part of the attached information should be addressed to The Force Solicitor, West Mercia Police Headquarters, PO Box 55, Hindlip, Worcester, WR3 8SP.

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 Warwickshire Police to review their decision.

Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the person 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 contact the person named 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 Warwickshire Police made under the Freedom of Information Act 2000 (the Act) regarding access to information, you can lodge a complaint with Warwickshire Police to have the decision reviewed. Warwickshire Police must be notified of your intention to complain within 20 working days of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Information Compliance Unit

Warwickshire Police and West Mercia Police

First Floor

Rugby Police Station

Newbold Road

Rugby

Warwickshire

CV21 2DH

or

email: freedom.information@warwickshire.pnn.police.uk

In all possible circumstances, Warwickshire Police will aim to respond to your complaint within 2 months.

The Information Commissioner

After lodging a complaint with Warwickshire Police if you are still dissatisfied with the decision you may make 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 application to the Information Commissioner please visit their website at <https://ico.org.uk/> Alternatively, phone or write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Fax: 01625 524 510