

Date: 15 July 2021
Our Reference: FOIA-2021-065

RE: Freedom of Information Act 2000 Request

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 19 June 2021, which stated:

“Under the FOIA can you supply the following documentation and information taking into account the digital forensics guidance and or digital evidence guidance and policies of ACPO and Interpol

- A. The current guidance, policies and procedures relating to digital forensics, including digital evidence gathering, handling and delivery into evidence
- B. The introduction dates
- C. What was in place prior to the introduction should the introduction be after 1st January 2012”

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

It is important to note that a freedom of information request is not a private transaction. Both the request itself and any information disclosed are considered suitable for open publication, that is, once access to information is granted to one person under the legislation, it is then considered public information and must be communicated to any individual should a request be received. In light of this, our responses and disclosures are published on our external website at a later date.

Decision

After conducting careful searches relating to your request, I can confirm there is information held and this has been provided to you below.

A. The current guidance, policies and procedures relating to digital forensics, including digital evidence gathering, handling and delivery into evidence

- ACPO (2012) Good Practice Guide for Digital Evidence which can be accessed here: [Microsoft Word - Revised Good Practice Guide for Digital Evidence_Vers 5_Oct 2011 \(college.police.uk\)](#)
- College of Policing Authorised Professional Practice (APP) on the extraction of material from digital devices, which can be accessed here: [APP Extraction of material from digital devices \(college.police.uk\)](#)

B. The introduction dates

- The ACPO (2012) Good Practice Guide for Digital Evidence was published in March 2012
- The APP on the extraction of material from digital devices was published in May 2021

C. What was in place prior to the introduction should the introduction be after 1st January 2012

- The ACPO Good Practice Guide for Digital Evidence was originally published in 2007 and was subsequently updated. The current version is version 5.
- Prior to the APP on the extraction of material from digital devices, the NPCC Digital Processing Notice was used by forces. It can be accessed here <https://news.npcc.police.uk/resources/dpna-officer-guidance-form>. There was also APP on Information Management, which does not specifically refer to digital data extraction, but describes the wider legal framework within which such data extraction has to be managed. This can be accessed here: [Information management \(college.police.uk\)](#)

I trust this letter answers your questions. Your rights are provided in **Appendix A**.

Yours sincerely,

Sarah Lawrence | Legal Advisor
Information Management and Legal Team
College of Policing

Email: FOI@college.pnn.police.uk

Website: www.college.police.uk

Appendix A

Rights

If you are dissatisfied with the handling procedures or the decision of the College of Policing made under the Freedom of Information Act 2000 (the Act) regarding access to information you can request that the decision is reviewed internally.

Internal review requests should be made in writing, within **forty (40) working days** from the date of the refusal notice, and addressed to: FOI team, Central House, Beckwith Knowle, Otley Road, Harrogate, North Yorkshire, HG3 1UF or email: FOI@college.pnn.police.uk

In all possible circumstances the College of Policing will aim to respond to your request for internal review within **20 working days**.

The Information Commissioner

If, after lodging an internal review request with the College of Policing 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/for-the-public/official-information/>.

Alternatively, write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113