

Gloucestershire Constabulary
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Our reference: FOI_25_0480

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Date: 26/08/2026

Dear

Gloucestershire Constabulary Freedom of Information request FOI_25_0480

On 06/05/2025 you sent an email constituting a request under the Freedom of Information Act asking the following:

We are conducting research into police practices concerning the extraction of digital data from victims of rape and serious sexual offences (RASSO), particularly in light of the updated statutory framework introduced by the Police, Crime, Sentencing and Courts Act 2022 and the associated Code of Practice.

Specifically, we request disclosure of the following information:

1. Policies and guidance
 - a. Please provide copies of any current internal policies, procedures, guidance documents, or internal forms used by your force in relation to the extraction of digital data from victims or witnesses in RASSO investigations.
 - b. Please provide copies of any standard forms, information packs, or other materials provided to victims or witnesses when requesting access to their mobile phones or proposing a download of their data.
2. Compliance with new legal framework
 - a. Has your force adopted the new Code of Practice issued under section 37 of the Police, Crime, Sentencing and Courts Act 2022? If so, please provide the date of adoption and any associated implementation documents.
 - b. Has your force issued any training or operational guidance to officers on the use of the Code and the new statutory framework? If so, please provide details (including training materials if available).
3. Technology and digital extraction tools
 - a. What tools or software systems are currently used by your force to extract digital data from mobile phones in the context of RASSO investigations? Are these tools used consistently across all RASSO cases?

- b. Are these tools configured to allow selective extraction (i.e. only of relevant material), or are they routinely used for full downloads?
 - c. Has your force conducted any audits or reviews of the use of digital extraction tools since the introduction of the new legislation and Code of Practice?
4. Oversight and accountability
- a. Does your force have a panel or mechanism for reviewing RASSO cases where a victim or witness has challenged a request for access to their digital data? If so, does that panel or mechanism remain in place?
 - b. Does your force collect internal data on how many times digital data has been extracted from victims or witnesses in RASSO cases in the past two calendar years? If yes, please provide those figures.
 - c. Has your force received any complaints about mobile phone data extraction practices from victims or witnesses in RASSO investigations during the last two years? If so, please provide the number of such complaints.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

In response to the questions you asked, several of Gloucestershire Constabulary's subject matter experts (SMEs) conducted searches for relevant and recorded information. The information they retrieved can be found below.

- Q1 Gloucestershire Constabulary uses forms DPNa and DPNb when submitting devices to the Digital Forensics Unit. Please find these attached to this response. The accompanying Digital Question Set (Victim) is used alongside these forms and can be found attached.
- Q2 Gloucestershire Constabulary has adopted the new Code of Practice. Training is covered in all inputs provided by the Digital Forensics Unit.
- Q3 Parts a & b
I can confirm that Gloucestershire Constabulary does hold the information requested, however a Section 31(1)(a)(b) Law Enforcement exemption has been applied to part of the requested information thereby exempting its release.

Where exemptions are relied upon section 17 of FOIA requires that we provide the applicant with a notice which:

- a) States that fact
- b) Specifies the exemption(s) in question and
- c) State (if that would not otherwise be apparent) why the exemption applies

Section 31(1)(a)(b) Law Enforcement:

(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to prejudice –

- (a) the prevention or detection of crime*
- (b) the apprehension or prosecution of offenders*

Section 31 is a prejudice based qualified exemption and as such there is a requirement to provide details of the harm as well as the public interest test.

Harm in Disclosure

To disclose particular policing tools of this type used by Gloucestershire Constabulary as part process could reveal operational tactics linked to policing, compromise police investigations and/or adversely affect the ability of Gloucestershire Constabulary and others to safeguard national security.

It is well established that Police Forces utilise Digital Forensic techniques in order to counteract criminal behaviour, detect crime and assist in the apprehension and prosecution of offenders. Modern day policing is intelligence led and law enforcement depends upon the development of intelligence and the gathering and security of evidence in order to disrupt criminal behaviour and bring offenders to justice. As criminals adapt and exploit new technology, the police need to respond by overcoming hi-tech barriers in order to meet their responsibilities. In this case, the information relates to a service provided and by extension their products for the extraction of data from devices.

By revealing specific tactical information would undermine the process of preventing or detecting crime and the apprehension of prosecution of offenders. When considered on a Force by Force basis, a malign individual could identify those most critical to the Law and Order sector and specifically target those providing the most assistance, This would have a huge impact on the effective delivery of operational law enforcement as it would leave Companies/Departments/Agencies open to further cyber-attacks which could have devastating consequences for law enforcement.

Interest Test

Factors favouring Disclosure: - Providing the names and capabilities of software would provide the public with information about technologies and Gloucestershire Constabulary capabilities. This would reinforce the wider commitment to openness and transparency with the general public and facilitate public debate. Furthermore, owing to the inherent link between transparency and public confidence would likely to improve the general public's confidence and this increase in public confidence would likely improve public engagement with the police. This would lead to an improvement in Gloucestershire Constabulary's to both prevent and detect crime and apprehend and prosecute offenders.

Factors favouring Non-Disclosure: - Disclosing the names of Software and its capabilities would provide valuable information to persons intent on disrupting law enforcement with information that would assist them to do so. In this case, for the reasons outlined in the evidenced harm, the effectiveness of current and future strategies when carrying out investigations and gathering evidence may be compromised. The safety of the public is of paramount importance to policing purposes and any increasing crime would place the public at risk of harm when the current or future law enforcement role of the force may be compromised by the release of information, and the effectiveness of the force will be reduced.

The personal safety of individuals is a paramount importance to the Police Force and must be considered in response to every release. A disclosure under Freedom of Information is released to the world and in this case disclosing tactical information relating to the extraction of data from computers and other devices would undermine the evidence

gathering process of any investigative inquiry relating to offences, some of which may be serious cases such as murder or rape.

Balance Test.

Having considered the reasons why Gloucestershire Constabulary should disclose the software systems used, although openness and transparency is at the forefront when considering the public interest, in this case disclosure relating to digital tools/software used by Gloucestershire Constabulary for investigative purposes would not be in the public interest. The public entrust the police service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with any information that is released.

Disclosing the systems used would reveal specific policing activity in the digital sphere of investigations and would assist those intent on causing harm. This would directly harm the ability of the force to investigate crime this could also reveal police capabilities, compromise police investigations. I have attached considerable weight to these interests as the primary role of the police service is to both prevent and detect crime and apprehend those responsible for committing criminal offences.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for confirming nor denying the information is held is made out.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under section 17(1) of the legislation.

Q3 Part c – No

Q4 No for parts a & b and 0 complaints for part c

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post – Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary