

Extraction of material from digital devices

This page is from APP, the official source of professional practice for policing.

First published 27 May 2021 Updated 8 November 2022

Written by College of Policing

67 mins read

Removal of authorised professional practice (APP)

New legislation now standardises how and when the police can lawfully extract information from an electronic device if it has been voluntarily provided. The extraction of information powers are supported by a statutory code of practice published by the Home Office that provides guidance to authorised persons on when and how to exercise these powers. The code of practice on extraction of data from digital devices replaces this section of APP.

- [Read the Code of Practice](#)

The College of Policing has created guidance to help sanctioning officers follow the new code of practice.

- [Read the guidance for sanctioning officers](#) (you will need to sign in to College Learn)

About the changes

The [Police, Crime, Sentencing and Courts Act 2022](#) introduces a clear legal basis for authorised persons to obtain and extract information from electronic devices, where there is agreement from the device user.

With so much more of our lives being lived online, the ability to extract information from devices can be a crucial factor in bringing offenders to justice. We must ensure that victims and witnesses are confident they will be treated with sensitivity and dignity when reporting crimes and that their rights to privacy are protected.

An authorised person can exercise the extraction of information powers for the purposes of:

- preventing crime
- detecting crime
- investigating crime
- prosecuting crime
- helping to locate a missing person
- protecting a child or an at-risk adult from neglect or physical, mental or emotional harm

These powers strengthen the law to ensure:

- there is a consistent approach to requesting information from phones and other electronic devices
- in all cases, requests to extract information held on an electronic device are only made when necessary and proportionate, in line with a reasonable line of enquiry

Tags

Digital intelligence and investigation