

# Extraction of information from electronic devices – guidance for sanctioning officers

Published on 8 November 2022

Our guidance helps sanctioning officers follow new legislation on lawfully extracting information from an electronic device

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New legislation 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. The code provides guidance to authorised persons on when and how to exercise these powers.

Officers at the rank of inspector (known as a sanctioning officer) now need to make the decision about whether to approve an authorised person to extract information from an electronic device.

This can include (but is not limited to):

- mobile phones
- tablets
- laptops

Authorised persons must have a reasonable line of enquiry and a belief that information is held on the device, the extraction of which is strictly necessary to pursue that line of enquiry.? In addition they must inform the device user of all aspects of the process.

New **digital processing notices (DPNs)** have also been introduced and released to Home Office forces. These were developed by the National Police Chiefs' Council (NPCC) in collaboration with the College and the Crown Prosecution Service (CPS), with stakeholder consultation. The DPNs should be completed by the authorised person and signed off by a sanctioning officer.

We have created guidance to help sanctioning officers follow the **new code of practice**. The guidance provides sanctioning officers with an understanding of the DPN processes and the impact the extraction of data has on the individual involved.

The guidance helps sanctioning officers identify the key elements involved in making decisions in relation to the extraction of information from an electronic device.

This includes:

- assessing the rationale for the use of powers including necessity
- proportionality
- reasonable lines of enquiry
- the risk of obtaining other information and confidential information

We are also developing guidance for authorised persons which will include advice on completing DPNs.

**Read the guidance for sanctioning officers**

## Tags

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