



Our Ref: 003321/20

Your Ref:

Address Correspondence to: Information Management

Date 28 October 2020

Freedom of Information Act 2000

I write further to your request for information received 06/10/2020.

I note you seek access to the following information:

Under the Freedom of Information Act 2000 I would like to request the following information from the relevant departments:

- *What NPCC guidelines you are required to follow for the collection of mobile evidence.*
 - o Can you please provide a copy of the guidelines for me to directly reference in my research project.*
- *What evidence is usually sought for collection in a cyber stalking or harassment case.*
 - o I am trying to understand the type of evidence collected to help evaluate the relevant NPCC guidance and support my production of a leaflet for university students.*
- *How many cases of stalking or harassment have been recorded (with figures per year) over the past 5 years.*
 - o I am specifically interested in those using digital platforms to carry out the harassment or stalking, i.e. cyber enabled crimes.*

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

What NPCC guidelines you are required to follow for the collection of mobile evidence.

Can you please provide a copy of the guidelines for me to directly reference in my research project.

The NPCC has recently published a press release and Digital Processing Notices. This article is titled, 'Police replace processing notice used to obtain agreement from victims and witnesses to search for relevant material on digital devices', therefore s21 will be engaged .

Section 21 – Information reasonably accessible by other means.

There have also been developments in guidance and practice in England and Wales in conjunction with the official inquiries, including the CPS 'Disclosure – A guide to "reasonable lines of enquiry" and communications evidence'

In addition, the ICO has released an investigation report into the use of mobile phone extraction (MPE) by police forces when conducting criminal investigations. This report recommends that a number of measures are implemented across law enforcement in order to improve compliance with data protection law and regain some public confidence that may have been lost. The ICO also recommended the introduction of a new code of practice to improve MPE practices and better support police and prosecutors in their work. This is currently being considered at a national level and guidance will be produced in due course – believed to be in early 2021.

Please see link below:

<https://news.npcc.police.uk/releases/police-replace-processing-notice-used-to-obtain-agreement-from-victims-and-witnesses-to-search-for-relevant-material-on-digital-devices>

What evidence is usually sought for collection in a cyber stalking or harassment case.

I am trying to understand the type of evidence collected to help evaluate the relevant NPCC guidance and support my production of a leaflet for university students.

Leicestershire Police follow all the guidance from the College of Policing APP. Please find link below:

<https://www.app.college.police.uk/?s=+Stalking+and+Harassment>

How many cases of stalking or harassment have been recorded (with figures per year) over the past 5 years.

I am specifically interested in those using digital platforms to carry out the harassment or stalking, i.e. cyber enabled crimes.

Please see the attachment to the Email showing the statistics

Please note that yearly figures provided are to date to ensure most recent data, thus the yearly figures are from 05/10/XX to 04/10/XX.

Additionally, the search was conducted using all codes listed under the Stalking and Harassment Home Office subcategory, which include the following offences:

- Public Order S3 Harassment - breach of civil injunction
- Public Order S4 Harassment - put in fear of violence
- Public Order S5 Harassment - breach of restraining order
- Racially / religiously aggravated harassment without violence
- Racially / religiously aggravated harassment with fear of violence
- Stalking - Involving fear of violence
- Stalking - Involving serious alarm / distress
- Engage in controlling / coercive behaviour in an intimate / family relationship
- Disclose private sexual images to cause distress (Inc. Photos / Films)
- Disclose private sexual images to cause distress (Inc. Photos / Films)
- Sending letters etc with intent to cause distress or anxiety (Malicious Communications Act)
- Sending letters etc with intent to cause distress or anxiety (Malicious Communications Act)
- Breach of a Stalking Order

- Harassment of a person in their home
- Stalking - Pursue a course of conduct
- Public Order S2 Harassment without violence

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer
Leicestershire Police

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