



Home Office

Baroness Williams

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BY EMAIL ONLY
Lord Paddick
House of Lords
SW1A 0PW

22 November 2021

Dear Brian,

**POLICE, CRIME, SENTENCING AND COURTS BILL: EXTRACTION OF
INFORMATION FROM ELECTRONIC DEVICES**

I am writing to follow up the debate in Committee on the extraction of information from electronic devices on 27 October (Official Report, columns 865-887).

Government amendment 93: on the conditions of agreement.

In my speech on the Government amendments I said, whilst setting out the overall aims of the amendments, that a consistent approach was needed to ensure victims were given information they needed to make a decision and their "right to refuse to share information without negative consequences".

I want to be clear that this was a broad summary of the overall intentions of the new clause inserted by amendment 93 and the importance that victims are not, as we are told happens now, wrongly informed that if they do not supply a device that all activity on their case will stop.

When I spoke about Government amendment 93 in detail I spoke in specific terms about the position in the new clause that the individual must be informed that refusal to provide their device "does not automatically result in the end of any enquiry or investigation" (see column 881).

Government amendment 93: on the requirement to provide information to individuals in writing

You also raised a query with regard to my comments when discussing Government amendment 93 that an authorised person must inform individuals that refusal to provide their device does not automatically result in the end of any inquiry or

investigation and how this relates to the drafting of the new clause which specifies that an authorised person must provide information in writing.

Our intention in drafting this amendment is that all individuals are given the details they need to make a decision about whether to volunteer a device and whether to agree to the extraction of information from it. This detail, such as specifying or describing the information sought, must be given in writing. This is to ensure that this information is recorded and can be referred to at a later stage in the enquiry if needed.

I am grateful to you for your detailed consideration and scrutiny of the important issues that relate to these powers to ensure they offer the strongest possible protections for victims.

I am copying this letter to Lord Rosser, Lord Falconer of Thoroton, Lord Anderson of Ipswich, Baroness Bennett of Manor Castle, Lord Beith, Baroness Chakrabarti, the Bishop of Bristol, Lord Hayward and Baroness Fox of Buckley. I am also placing a copy of this letter in the Library of the House.

A handwritten signature in cursive script, appearing to read 'Susan', written in black ink.

Baroness Williams of Trafford
Minister of State