Digital Device Consent Withdrawal Flow Process

Victim or witness wishes to withdraw consent There may be times depending on the circumstances and what potential evidence Victims and witnesses can withdraw is on your device, that we need to take it, Contact Police Scotland consent via 101, any police officer or at even if you refuse consent. We may also any police station need to retain the device despite your withdrawal. In these cases, we will use one of the other powers (warrant or common law) to do so. Immediate action taken to The Data Protection Act 2018 allows police to keep and use information taken from a inform Cybercrime staff device for the investigation, even if you withdraw your consent for police to retain the device itself. Cybercrime staff update the device Examination Request Form (ERF) [For more details see Digital Device ERF Flow Process] If not complete, a halt will be placed on the examination Cybercrime staff email investigating officer and supervisor informing them of withdrawal Direct contact made with Investigating officer / victim / witness to ensure supervisor engages with legitimate and uncoerced victim / witness withdrawal Consent withdrawal confirmed and statement noted Circumstances assessed by Police Scotland / COPFS to consider if another authority is required to retain device(s) Decision Do not require to retain device Require to retain device-Police Scotland use other Device returned authority