| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-2089  Responded to: 07 August 2025 |
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Your recent request for information is replicated below, together with our response.

**A blank copy or template of any form(s) currently used by Police Scotland for the submission of digital devices or digital exhibits to your Digital Forensics Unit (e.g. mobile phones, computers, tablets). This may include local versions of the MG21 form, or any other documentation routinely used to request digital forensic examinations. If available, I would be grateful to receive:**

* **Any local guidance or instructional materials provided to officers completing the form.**
* **Confirmation of whether your force uses the national MG21 template, or a locally adapted version.**

I can advise the MG21 form is not used by Police Scotland, it is our understanding that it applies in England and Wales.

In response to your request, please see the attached documents:

* Cybercrime Examination Request Form
* Cybercrime App User Guide

You will note that some of the information contained within the User Guide has been redacted. I am refusing to provide this information in terms of section 16(1) of the Act on the basis that the following exemptions apply:

**Section 30(c) - Prejudice to the Effective Conduct of Public Affairs**

Disclosure would prejudice substantially the effective conduct of public affairs.

Where necessary some file paths, reference numbers, names, telephone numbers and email addresses have been redacted. These are used for operational/ business purposes and have been removed in order to ensure that those processes are protected.

This is a non-absolute exemption which requires the application of the Public Interest Test.

**Public Interest Test**

I would suggest that disclosure of the information would support transparency and better inform the public as to how the organisation conducts this process.

Disclosure of the file paths and reference numbers could negatively impact the operational effectiveness of departments. Additionally, there are already established routes for the public to contact Police Scotland therefore the disclosure of contact details would not support the effective conduct of public affairs.

The need to ensure effective conduct of the service clearly favour non-disclosure of the redacted information.

On balance the public interest on this occasion favours non-disclosure of this data.

**Section 38(1)(b) – Third Party Personal Data**

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as: ‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met.

The only potentially applicable condition is set out at Article 6(1)(f) which states: ‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

Whilst I accept that you may have a legitimate interest with regards the disclosure, I am nonetheless of the view that those interests are overridden by the interests or fundamental rights and freedoms of the data subject(s).

Accordingly, it is my view that disclosure of staff names and identifiers, within the guide would be unlawful.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.