



Freedom of Information request ref 01/FOI/25/3676
We received your request on the 00/00/2025.

Request

You asked us:

Dear British Transport Police,

Under the Freedom of Information Act 2000, I am writing to ask that you provide me with the following information on your use of mobile phone data extraction:

- 1. Does your police force currently carry out mobile phone data extraction in low level crime cases using self-service / downloading kiosks? Please provide your definition of low-level crime.**
- 2. Does your police force currently carry out mobile phone data extraction in serious crimes using self-service / downloading kiosks?**
- 3. If your police force is not currently using mobile phone extraction kiosks, have you trialled this in the past/do you have plans to in the future?**
- 4. Does your police force currently use Hubs to carry out mobile phone data extraction in (a) low-level crimes? (b) serious crimes?**
- 5. Do you centrally record mobile phone data extracted from kiosks?**
- 6. If you have a mobile phone extraction kiosk, please provide the name of the company(ies) which currently provide(s) the hardware / software / to whom you pay a license for the relevant tools. If contracts for these tools exist, please also provide the beginning and end dates of these.**
- 7. Does your police force use analytics software to process, analyse or evaluate data extracted from mobile phones? If so, please provide the name of the software or provider.**
- 8. How many officers currently carry mobile phone examination kits on patrol and/or in vehicles and/or for other operational use in (a) low level crimes? (b) serious crimes?**
- 9. Please confirm whether or not a review has been conducted into the use of self-service kiosks.**
- 10. Please provide copies of the current relevant force level and/or national level guidance for the use of downloading kiosks.**
- 11. Please provide copies of the current relevant force level and/or national level policy for the use of downloading kiosks.**

Thank you very much for your time.

We have handled your request under the Freedom of Information Act (FOIA)

Our response:

Q1: Yes.

Low-Level Crime (UK Definition)

Low-level crime refers to minor criminal offences that:

- Cause limited harm
- Do not involve serious violence or injury
- Are often dealt with outside of court, especially for first-time offenders

These typically include:

- Shoplifting
- Minor theft
- Drug possession (small quantities)
- Criminal damage
- Common assault (non-aggravated)

They are usually classified as summary offences, which:

- Are tried in Magistrates' Courts
- Carry lower penalties (e.g., fines or short custodial sentences)
- May be resolved through cautions, community resolutions, or diversionary schemes

Q2: Yes

Q3: N/A

Q4: Yes

Q5: Yes

Q6 & Q7:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which:

- a) states that fact
- b) specifies the exemption(s) in question and
- c) states (if that would not otherwise be apparent) why the exemption applies.

In relation to your request for data concerning questions 6 & 7 the following exemptions apply:

Section 31(1) – Law Enforcement
Section 24(1) – National Security

Section 31(1) is a qualified and prejudice based exemption and therefore the legislators accept that there may be harm if released. The authority has to consider and describe the harm that would occur if the information were released and carry out a Public Interest Test.

Public interest test considerations

Harm Test for Sections 31 and 24

To disclose the specific name of the company(ies) which currently provide(s) the hardware / software / to whom we pay a license by British Transport Police would adversely affect the efficiency and effectiveness of the law enforcement function of British Transport Police.

British Transport Police is a National Police force covering the railway network in England, Wales and Scotland. Millions of passengers use public transport within the force's jurisdiction every day and therefore there is a real risk that the disclosure of the company(ies) used to prevent and detect crime could be exploited to cause serious damage to the public, Police Officers and the economic affairs within the United Kingdom. If this information was to be exploited by those wishing to cause serious harm, catastrophic damage could be caused and the effects would be long lasting, not only to individuals but also to the running of the UK Government.

British Transport Police use specific equipment and providers for the specific reason of detecting serious crime on the railway network. There is a significant risk that the release of the requested information could lead to deliberate and malicious actions against the officers involved in protecting the public and to the public themselves. This would lead to the law enforcement function of British Transport Police being compromised and an increase in crime and the fear of crime.

British Transport Police have a duty towards the safety and wellbeing of the external company(ies) used to assist in Policing and therefore there is a serious risk that the disclosure could put them at risk of harm.

Factors favouring the release of the information for Section 31

Disclosure would allow for greater public awareness and openness in the way British Transport Police deploy resources and police the railways.

In disclosing the methods used by British Transport Police to detect specific types of evidence would provide greater public confidence in the police and promote a feeling of safety in the general public whilst travelling on the railway network.

If the public were to be more informed as to the methods used by the force the public could use this knowledge to encourage a better informed public debate as to where funds should be spent in preventing and detecting crime on the railway network.

By disclosing the name(s) of any company(ies) used by the force would highlight the work they do and could publicise their expertise which could result in them receiving new customers.

Factors favouring withholding the information for Section 31

Disclosure of specific information concerning how British Transport Police detects potential evidence would jeopardise British Transport Police's ability to prevent and detect crime which could be taken advantage of by the criminal fraternity. This would threaten the ability of the force to protect the public and respond to criminal activity appropriately. This would increase crime and the fear of crime.

British Transport Police uses an external company(ies) to gather evidential materials. To disclose the name(s) of the company(ies) would potentially put their offices and staff at risk from disruption and harm. Any offences would therefore require investigation, and resources would be diverted to investigate these offences. Therefore, further crime could be committed undetected if officers were required to investigate as they would be removed from their frontline duties.

British Transport Police's overarching principles are to protect the public to prevent and detect crime. To disclose what company(ies) are used by the force would highlight any

particular weaknesses in the equipment which could be used to circumvent the apprehension and prosecution of offenders.

To disclose what tactics are used to detecting any evidential material would be of particular use to those wishing to cause harm as the criminal fraternity may alter their tactics in order to prevent further crime whilst undetected.

Factors favouring the release of the information for Section 24

The disclosure of the information would provide the public with greater knowledge and understanding of how British Transport Police uphold the law on the railway network. Other countries and organisations may wish to adopt similar approaches in relation to crime prevention and detection and may wish to contact the company(ies) BTP deal with if they are confident in their programmes capabilities based on BTPs use of the company(ies).

The disclosure may provide reassurance that British Transport Police is a leading influence in protecting the public transportation systems around the world and would therefore increase public confidence in using public transport within the UK.

Factors favouring withholding the information for Section 24

British Transport Police is responsible for ensuring the safety of the travelling public.

To disclose specific information relating to detecting evidential material would undermine public confidence in the police and increase the fear of using public transport. Specifically, the UK receives millions of tourists every year and therefore they rely on the use of public transport. This would have a financial loss on towards the train operating companies and also the UK Government if British Transport Police was unable to prevent and detect crime on the railway network. Specifically, there would be severe disruption to the running of the country if the force's methods of detection could be circumvented.

The rail network is an important facet for ensuring the smooth running of the country. Any disclosure of information relating to who BTP uses to gather evidential material could be exploited and would have a devastating effect on the effectiveness of national security.

There may be weaknesses in the company(ies) systems that persons wishing to do harm may be able to hack and destroy evidence collected on their systems via the kiosks. Persons wishing to do harm may exploit the company(ies) weaknesses (should there be any). Providing this information could potentially lead to multiple avenues of vulnerability both to the company(ies) themselves as well as BTP.

Balance of the Public Interest

The public interest is not what interests the public, but a test of whether the community benefit of possession of the information outweighs the potential harm.

In this case, we have identified that there would be a small benefit to the public by the release of this information. However, there is a very strong factor favouring non-disclosure, this being the negative impact on the effectiveness of the police force in being able to respond to incidents successfully and to detect crime.

If there is a risk that the future law enforcement role of the force could be compromised and the public's safety be put at risk, it cannot be justified that the public interest would be served in releasing this specific information if either of these aspects were to be compromised in any way.

I have determined that the disclosure of the requested information would not be in the public interest. I believe the harm considerations and the importance of the factor favouring non-disclosure outweigh the public interest in disclosing the information. My decision, on balance, is that it would therefore not be in the public interest to release this information.

In accordance with the Act, this letter represents a refusal notice for part of your request.

Q8: There are a number of officers trained to carry mobile phone examination kits on patrol, however the number of officers carrying them at any given time vary depending on need/operational requirements in a dynamic and ever-changing landscape.

Q9: No review has been conducted.

Q10: [Extraction of Information from electronic devices: code of practice](#)

Please see the attachment labelled FOI Response 01-FOI-25-3676_ Q10 Mobile Device Acquisition -Kiosks and Tablets Extraction_Redacted.

Part of this document has been redacted and is covered under Section 31 & Section 24 as stated above.

Q11: [Police, Crime, Sentencing and Courts Act 2022](#)