

Economic Note	Number: HO EN 1060
Title of regulatory proposal	Extraction of online information
Lead Department/Agency	Home Office
Expected date of implementation	Oct 2026
Origin	Domestic
Date	03/02/2026
Lead Departmental Contact	CrimeandPolicingBillTeam@homeoffice.gov.uk
Departmental Assessment	GREEN
Rationale for intervention, objectives and intended effects The measure will give powers to law enforcement agencies (LEAs) to access online information by establishing a clear legal framework for LEAs to search and extract data from online accounts connected to electronic devices that have been seized. The measure aims to enhance criminal investigations, reduce crime rates, and improve public safety.	
Policy options (including alternatives to regulation) Option 0: 'Do nothing'. LEAs would continue to face significant challenges due to the absence of a clear legal framework. Option 1: Reform the statutory framework by creating a dedicated power in primary legislation and amending existing powers for LEAs to search and extract online information from online accounts. This is the government's preferred option.	
Costs and benefit summary The only monetised cost is the familiarisation of law enforcement to the legislation which totals £0.06 million in PV terms (central estimate). There are criminal justice system (CJS) costs expected to occur if the new legislation leads to increased charges and convictions, though this could not be monetised. It was not possible to monetise benefits due to an absence of available data. Non-monetised benefits include improvements to police efficiency and public safety. Given there are no monetised benefits the Net Present Social Value is negative in all scenarios.	
Risks It is unclear how online information usage will change following the intervention. Therefore, there is significant uncertainty around the impacts to the CJS.	

Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
0.06	0.06	0	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
0	-0.06	0	0
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2025/26	2026/27	10	1

Departmental sign-off (SCS):	Krisztina Katona	Date: 03/02/26
Chief Economist sign-off:	Tim Laken	Date: 08/06/26
Better Regulation Unit sign-off:	Emma Kirk	Date: 08/06/26

Evidence Base

A. Policy objectives and intended effects

1. The policy objective is to provide clear powers for law enforcement in the United Kingdom to extract online information from online accounts during criminal investigations or at UK borders. The measures aim to address the growing use of cloud-based services by criminals to communicate, share material, or store information, and the significant challenges this poses for law enforcement to secure vital evidence and intelligence in criminal investigations where existing powers are uncertain.
2. The intended effects of this policy are to create a reliable and predictable framework that mirrors the powers and safeguards governing the extraction of information stored locally on physical devices. The policy seeks to drive consistent operational practices across law enforcement agencies by establishing clear legal powers and guidelines.
3. The policy includes four main measures:
 - 1) Creating standalone powers in primary legislation for law enforcement to search and extract information from online accounts connected to electronic devices authorised for search by a warrant or seized using existing statutory powers.
 - 2) Issuing a code of practice to provide detailed guidance on exercising these powers.
 - 3) Amending primary and secondary legislation to clarify that Counter-Terrorism (CT) police can access, copy, and examine online information during examinations at ports and borders under Schedule 7 to the Terrorism Act 2000¹ (TACT 2000) and Schedule 3 to the Counter-Terrorism and Border Security Act 2019² (CTBSA 2019)
 - 4) Amending primary and secondary legislation to reform the data extraction powers in the Police, Crime, Sentencing and Courts Act 2022³ (PCSCA 2022) for law enforcement to search and extract information from an online account connected to an electronic device with the agreement of the device user.
4. Overall, the policy aims to enhance law enforcement's ability to effectively investigate serious crimes by ensuring they have clear powers to secure online evidence.

B. Policy options considered, including alternatives to regulation

Option 0 – 'Do-nothing'

5. The 'Do-nothing' option would maintain the status quo, where LEAs face significant challenges in accessing online information due to the absence of a clear legal framework. This would continue to hinder investigations, particularly in cases involving serious crimes such as child sexual abuse, organised crime, and terrorism, and may result in the loss of critical evidence.

Option 1 - Reform the statutory framework by creating a dedicated power in primary legislation and amending existing powers for LEAs to search and extract online information from online accounts.

6. This involves creating a standalone power in primary legislation for LEAs to search and extract information from online accounts connected to electronic devices authorised for search by a warrant or seized using existing statutory powers. This option includes issuing a code of practice to provide detailed guidance on exercising these powers and amending relevant legislation to clarify that CT police can access online information during examinations at ports

¹ Terrorism Act 2000, schedule 7 <https://www.legislation.gov.uk/ukpga/2000/11/schedule/7>

² Counter-Terrorism and Border Security Act 2019, schedule 3 <https://www.legislation.gov.uk/ukpga/2019/3/schedule/3>

³ Police, Crime, Sentencing and Courts Act 2022: <https://www.legislation.gov.uk/ukpga/2022/32/contents>

or borders. This approach aims to provide a reliable and effective framework, ensuring consistent operational practices and enhancing the effectiveness of criminal investigations.

7. Option 1 is the government's preferred option.

Non-regulatory options

8. The government has assessed non-regulatory interventions such as operational guidance, but these are not sufficient to overcome legal uncertainty and do not provide a reliable lawful authority for law enforcement to search and extract online information. They therefore do not meet the policy objective.

C. Past evaluations and rationale for government intervention

11. Law enforcement have a range of existing powers to secure electronic evidence stored on electronic devices during criminal investigations from suspects, victims and witnesses and to search electronic devices during national security examinations at UK borders. This includes powers in the Police and Criminal Evidence Act 1984⁴, TACT 2000⁵, PCSCA 2022⁶, and CTBSA 2019⁷, among others. However, increasingly relevant information is not stored directly on such devices but remotely in online accounts with cloud storage and other internet-enabled services, such as messaging or social media applications, and only accessible through these devices. It is unclear whether, and to what extent, the existing powers allow LEAs to access and search such online accounts and extract information that is stored in cloud storage and other internet-enabled services, such as messaging or social media applications, and accessible through and connected to these devices. As a result, in practice, police and other LEAs have either not accessed such material at all, have only done so to a limited extent, or only where it meets the serious crime threshold of the Investigatory Powers Act 2016⁸.
8. In a report⁹ on search warrants, published in October 2020, the Law Commission recommended “that the Government considers the desirability of amending the law to permit law enforcement agencies to obtain authorisation to search for and copy remotely stored data when executing a search warrant”. In addition, in his report on the Terrorism Acts in 2021¹⁰, the Independent Reviewer of Terrorism Legislation, Jonathan Hall KC, concluded that “legislation governing investigative powers, including terrorism legislation, does not address remote access and in the case of searches of mobile phones under Schedule 7 of the Terrorism Act 2000 is incompatible with it”.
9. This measure seeks to create clear powers for LEAs to search and extract online information from online accounts connected to electronic devices authorised for search by a warrant or seized using existing statutory powers. This includes issuing a code of practice to provide detailed guidance on exercising these powers and amending relevant legislation to clarify that CT police can access online information during examinations at ports or borders. The policy aims to provide a reliable and predictable framework, ensuring consistent operational practices and enhancing the effectiveness of criminal investigations.

⁴ Police and Criminal Evidence Act 1984: <https://www.legislation.gov.uk/ukpga/1984/60/contents>

⁵ Terrorism Act 2000: <https://www.legislation.gov.uk/ukpga/2000/11/contents>

⁶ Police, Crime, Sentencing and Courts Act 2022: <https://www.legislation.gov.uk/ukpga/2022/32/contents>

⁷ Counter Terrorism and Border Security Act 2019: <https://www.legislation.gov.uk/ukpga/2019/3/contents>

⁸ Investigatory Powers Act 2016: <https://www.legislation.gov.uk/ukpga/2016/25/contents>

⁹ Search warrants, Law Commission: <https://cdn.websitebuilder.service.justice.gov.uk/uploads/sites/54/2025/12/Search-warrants-report-grayscale-web-1.pdf>.

¹⁰ The Terrorism Acts in 2021: Report of the Independent Reviewer Of Terrorism Legislation on the operation of the Terrorism Acts 2000 and 2006, and the Terrorism Prevention And Investigation Measures Act 2011 by Jonathan Hall K.C.: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1140911/E028761_11_Terrorism_Acts_in_2021_Accessible.pdf.

10. The government must intervene as law enforcement will continue to face legal uncertainties and operational challenges associated with accessing online information. The intervention is necessary to address the gaps and harms that would occur if the government does not act. This includes the inability to secure vital evidence and intelligence and the potential impact on criminal cases and convictions and the intervention therefore will ensure that LEAs have the necessary tools to access critical electronic data and improve public safety. The proposed measures aim to create a balanced and consistent legal framework that mirrors the powers and safeguards governing the search and extraction of data stored locally on physical devices to information from online accounts accessed from electronic devices.

D. Appraisal

General assumptions and data

11. The following general assumptions are used in this Economic Note (EN) which is in line with the guidance set out in HM Treasury (2022) Green Book¹¹:
- The appraisal period used is 10 years, 2026/27 to 2035/36.
 - The price base year used is FY 2025/26.
 - The present value base year is FY 2026/27.
 - The HM Treasury GDP deflator, 2025¹²
12. Data and assumptions have been drawn from several sources including:
- Estimates of the number of staff members to be familiarised are Home Office internal estimates based on HR records.
 - Digital Forensics practitioners' salaries are Home Office internal estimates, derived from police force survey data.
 - Police labour costs are derived from the most recent Home Office internal data.
 - The Reading soft calculator is used in calculating familiarisation costs¹³.

Costs

Monetised Costs

13. The only monetised costs that could be calculated were familiarisation costs. These costs occur in the first year only.

Familiarisation Costs

14. Once the legislation comes into force, police will need to become familiar with the legislative changes. There are two aspects of familiarisation:
- A new code of practice for the extraction of online information
 - Amendments to existing codes of practice to explain changes to existing powers for CT police at ports or borders
15. It is expected that the new legislation will become part of regular police training, and hence no additional training costs have been calculated.

¹¹ <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government/the-green-book-2020>

¹² GDP deflators at market prices, and money GDP - GOV.UK (www.gov.uk): <https://www.gov.uk/government/statistics/gdp-deflators-at-market-prices-and-money-gdp-december-2025-quarterly-national-accounts>

¹³ Free Speed Reading Test: How fast do you read? (readingsoft.com): <https://readingsoft.com/>

16. To calculate the costs of familiarisation, the estimated reading time of the information documents are multiplied by the labour costs of those required to read them.

New code of practice

17. The legislation will create a new power to extract online information. It will also amend primary and secondary legislation to reform the data extraction powers in the PCSCA 2022. A new code of practice will need to be produced for law enforcement to familiarise themselves with these powers. Based on existing codes of practice for data extraction powers¹⁴ and equipment interference¹⁵, it is estimated that the guidance will be between 90 and 150 pages. Assuming 500 words per page, it is estimated that the new code of practice will be between 45,000 and 75,000 words.
18. There are 1,300 FTE digital forensics practitioners in England and Wales¹⁶. It is assumed that between 40 and 80 per cent, with a central estimate of 60 per cent of practitioners¹⁷, will need to read the guidance. This provides a range of between 520 and 1,040, with a central estimate of 780 staff who need to read guidance on the new powers.
19. The salaries for digital forensics practitioners were provided by Home Office Data and Identity Directorate. Salaries have then been uplifted by a multiplier of 22 per cent, in accordance with ONS data on labour costs¹⁸, to account for overheads such as national insurance and pension contributions. The estimates and data described above can be seen in Table 1 below:

Table 1 – Estimates used to calculate Familiarisation costs of Digital Forensics Practitioners

Estimate	Number of staff	Hourly labour cost (£, price year 25/26)	Time spent reading (hrs)
Low	520	24.67	1.23
Central	780	24.67	3.01
High	1,040	24.67	8.77

Source: Internal Home Office Analysis, 2024

Amendments to existing codes of practice

20. The legislation will reform existing powers, allowing CT police to examine online information during Schedule 7 to TACT 2000¹⁹ and Schedule 3 to the CTBSA 2019²⁰ examinations at ports or borders. Codes of practice exists but will be amended. Based on existing length and detail in the current codes²¹, it is estimated that this amendment will add an extra three to five pages, with a central estimate of four pages. Assuming 500 words per page, it is estimated that the additional guidance will be between 1,500 and 2,500, with a central estimate of 2,000 words.
21. This new guidance will need to be read by all officers working across the CT borders network on digital extraction. A confidential estimate for the number of officers has been provided by the Home Office Data and Identity Directorate, with officers at sergeant and constable level.

¹⁴ Extraction of Information from electronic devices: code of practice: https://assets.publishing.service.gov.uk/media/634810a38fa8f53463dcb957/E02802691_Electronic_Devices_Code_of_Practice_WEB.pdf

¹⁵ Draft EI Code of Practice: https://assets.publishing.service.gov.uk/media/64145522d3bf7f79d6487bd4/Equipment_Interference_Code_of_Practice.pdf

¹⁶ Estimate provided by the Home Office Data and Identity Directorate

¹⁷ This assumption was provided by the Home Office Data and Identity Directorate.

¹⁸ ONS Labour Costs Data: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/indexoflabourcostsperhourilchseasonallyadjusted>

¹⁹ Terrorism Act 2000, schedule 7: <https://www.legislation.gov.uk/ukpga/2000/11/schedule/7>

²⁰ Counter-Terrorism & Border Security Act 2019, schedule 3: <https://www.legislation.gov.uk/ukpga/2019/3/schedule/3>

²¹ Codes of practice for officers using examination powers at ports: <https://www.gov.uk/government/publications/codes-of-practice-for-officers-using-examination-powers-at-ports>

22. The labour costs of police sergeants and constables were taken from Home Office internal data. The estimates and data described above can be seen in Table 2 below:

Table 2 - Estimates used to calculate Familiarisation Costs of CT Borders Officers

Officer Rank	Estimate	Number of staff	Hourly labour cost (£, price year 25/26)	Time spent reading (hrs)
Sergeant	Low	-	41.31	0.04
	Central	-	41.31	0.14
	High	-	41.31	0.31
Constable	Low	-	28.13	0.04
	Central	-	28.13	0.14
	High	-	28.13	0.31

Source: Internal Home Office Analysis, 2024

23. The total familiarisation costs can be seen in Table 3 below. All costs are assumed to be incurred in year zero (2025).

Table 3 – Total Familiarisation Costs (£, Price year 2025/26, PV)

Scenario	New code of practice	Amended code of practice	Total
Low	15,800	100	15,900
Central	57,900	200	58,100
High	224,900	400	225,300

Source: Internal Home Office Analysis, 2024. Figures rounded to the nearest 100.

24. The total familiarisation costs are estimated to be between £15,900 and £225,300 with a **central estimate of £58,100 (PV)**.

Total Costs

25. The total cost across the 10-year appraisal period includes only familiarisation costs incurred in year 0. The total costs are estimated to be between £15,900 and £225,300 **with a central estimate of £58,100 (PV)**.

Non-Monetised Costs

Operational costs

26. It is likely that there will be ongoing operational expenses as a result of increased online information usage. These would include costs of hardware and software licenses, as well as the costs of police time spent accessing and extracting online information. Operational costs could not be monetised as it is not known how much access forces currently have to online information and what additional resources they will need to use it. This is also likely to vary significantly between forces.

Criminal Justice System Costs

27. While it is expected that the introduction of clearer legal powers to extract online information may lead to an increase in charges and downstream impacts within the Criminal Justice System (CJS), it has not been possible to monetise these impacts due to uncertainty around both the use of the new powers and also that it is not known in which instances electronically stored data will be determinative in a criminal case (i.e. whether the access to the evidence will lead to charges that couldn't already have been made with other evidence).

28. Current use of online information extraction is not consistently recorded across forces, and there is no reliable baseline data on how frequently such material is currently utilised in criminal investigations or how often this evidenced is determinative in achieving a charge or CJS outcome. In many investigations, online data will form one part of a wider evidential picture. This means it is not possible to accurately assess how much more this technology will be used, on which crime types and when it will lead to CJS outcomes that would not otherwise occur.
29. Furthermore, while increased use of extracted online information could lead to increase demand on CJS through additional charges, it may also lead to more efficient investigations or earlier case resolution. Therefore the overall impact on CJS outcomes is highly uncertain.

Benefits

Monetised Benefits

30. There are no monetised benefits. The expected increase in online information usage, as well as the resulting charges are not known and therefore all benefit from this cannot be monetised.

Non-Monetised Benefits

Law Enforcement Effectiveness and Public Safety

31. The primary benefit is the creation of a clear and consistent legal framework that gives powers to LEAs to extract and examine critical electronic data stored in the cloud. This capability is crucial for effectively investigating and prosecuting serious crimes such as child sexual abuse, organised crime, and terrorism.
32. By providing LEAs with the necessary tools to access online information, the legislation could help to reduce criminals' exploitation of technological advancements to evade detection and prosecution.
33. With the ability to access online information, it is possible that LEAs will be able to conduct more thorough and efficient investigations, leading to quicker resolutions of criminal cases and the prevention of further criminal activities. This contributes to safer streets and communities as law enforcement can more effectively disrupt criminal networks and protect the public.
34. This benefit cannot be monetised as it is not known how many additional cases online information could be used in or exactly how effective it would be. However, due to the low anticipated cost of accessing online information, the prevention of a small number of crimes would likely represent value for money. As per the costs of crime²², the cost of a single homicide is £4,360,000, violence with injury is £19,000, rape is £53,300 and robbery is £15,300 (2025/26 prices). Given familiarisation costs of £58,100 (PV), preventing even one or two serious offences could generate benefits that exceed total costs.

NPSV, BNPV and EANDCB

35. The monetised costs have no impact on business therefore both the Business Net Present Value (BNPV) and the equivalent annual net direct cost to business (EANDCB) are zero.
36. The total costs and NPSVs are shown in Table 4 below.

Table 4 – Total Costs and NPSVs (£, Price year 2025/26, PV)

	Low	Central	High
Total Costs	15,900	58,100	225,300
Total Benefits	0	0	0
NPSV	-15,900	-58,100	-225,300

²² The Economic and Social Costs of Crime:
<https://assets.publishing.service.gov.uk/media/5b684f22e5274a14f45342c9/the-economic-and-social-costs-of-crime-horr99.pdf>

37. The NPSVs range from -£225,300 in the high-cost low-benefit scenario, and -£15,900 in the low-cost high-benefit scenario, **with a central estimate of -£58,100 (PV)**.

E. Wider impacts

38. The primary social impact is the enhancement of public safety by enabling LEAs to effectively investigate and prosecute serious crimes. This contributes to the government's safer streets mission²³ and increased public trust in law enforcement. The legislation aims to create a consistent legal framework across the UK, reducing regional disparities in law enforcement practices and ensuring uniformity in the application of extraction of online information powers.
39. Telecoms operators are not expected to incur additional costs as cooperation would continue within existing arrangements, so the measure does not create a direct impact on business.
40. There are no other wider impacts expected outside those outlined in the EN.

F. Sensitivity

41. To reflect uncertainty, ranges have been placed around the following:
- The proportion of digital forensics practitioners that will need to be familiarised with the legislation.
 - The length of both guidance documents that will need to be read by LEAs.
42. Internal estimates suggested that around 60 per cent of all digital forensics practitioners in England and Wales will need to read guidance to familiarise themselves with the new powers set out in the legislation. To reflect uncertainty, a range of 20 per cent was applied at either side.
43. Sensitivity analysis has been conducted to model a scenario in which 100 per cent of digital forensics practitioners read the guidance. In this scenario, total familiarisation costs would rise to between £39,300 and £280,000 with a central estimate of £96,100. This represents a 66 per cent rise in the central scenario, suggesting that costs are sensitive to this assumption, though total costs remain low.
44. For the new guidance document, it is anticipated that guidance will be of similar length to existing codes of practice for similar documents, such as data extraction powers (90 pages) or equipment interference (150 pages). It is expected to be closer to the former, hence low and central familiarisation cost estimates assume 90 pages, with the high estimate assuming 150 pages.
45. For the amended guidance document, it is anticipated that guidance will be around four pages, based on the length and detail in current Codes of Practice. To reflect uncertainty, a range of one page either side of this estimate is used.
46. Sensitivity analysis models a 10 per cent increase in the length of both guidance documents. In this scenario, overall familiarisation costs would rise to between £17,400 and £247,800 with a central estimate of £63,900. This represents a proportionate 10 per cent rise in costs in all scenarios.

G. Risks

Uncertainty in CJS Outcomes

²³ Safer Streets - <https://www.gov.uk/missions/safer-streets>

47. There is significant uncertainty around the impacts to the CJS resulting from this legislation. While online information usage is expected to increase, the magnitude of this increase is unclear. The severity of charges brought using the new and reformed powers is also unclear, so it has not been possible to estimate CJS outcomes with any confidence.

H. Annex

Mandatory specific impact test - Statutory Equalities Duties	Complete
The department assessed the proposed online information power and reforms as part of the government's duty to fulfil the public sector equality duty (section.149, Equality Act 2010). In summary, the department considers the measures to be in accordance with the requirements of the Equality Act 2010. Any potential negative impacts were identified and analysed, and they are considered to be proportionate to the legitimate aim the policy seeks to achieve. Assessment findings are summarised below; <i>Consideration of limb 1 of the duty: Eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Equality Act 2010.</i> The department does not consider any of the online information proposal to directly impact persons negatively because of any protected characteristic. However, it is concluded that the proposals may have an indirect impact on persons based on race, religion, and gender. This conclusion is drawn after reviewing existing published data on the demographics of individuals arrested and within the prison population. These statistics provided an indicative picture of the likely cohort of individuals who may be captured through our proposals. Any indirect discrimination that online information proposals may have upon individuals of a certain race, religion and gender to be proportionate and would likely reflect existing disparities within the CJS. <i>Consideration of limb 2: Advance equality of opportunity between people who share a protected characteristic and people who do not share it.</i> The department do not consider the proposals will have an impact on advancing equality of opportunity between people who share a protected characteristic and those who do not. <i>Consideration of limb 3: Foster good relations between people who share a protected characteristic and persons who do not share it.</i> The department do not consider the proposals will have an impact on fostering good relations between people who share a protected characteristic and those who do not. The SRO has agreed these summary findings	Yes