

**Cyber Kiosk Management Information**

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# Cyber Kiosks – Overview

Also known as a ‘Digital Triage Device’, a Cyber Kiosk is a desktop computer specifically designed to view data stored on a digital device in a targeted and focused way. Cyber Kiosks are operated by Kiosk Operators who are responsible for carrying out the 'triaging' of devices. Kiosk Operators can set parameters e.g. restricting searches to a date/time range, searching only text messages/photographs. If, after examination, no evidence is found, the device may be returned to the owner. There are 41 Cyber Kiosks located in Police Scotland buildings across Scotland.

## Cyber Kiosk Public Commitment

Police Scotland has made a public commitment to publish data relating to the use of Cyber Kiosks. This data is referred to as Management Information (MI) and is taken on a monthly basis from the Cybercrime Case Management System (CMS); a system used by Police Scotland to record all requests for digital device examination, document the required approval process and to record the number and type of devices examined. This information is recorded on an Examination Request Form (ERF). The Cybercrime Case Management System (CMS) records information entered by the Investigating Officer at the time of initial submission. Management Information from the CMS is accurate at the time of retrieval however may not reflect any operational developments or administrative amendments which occur following submission, for example the status of a Subject changing as an enquiry develops.

## Cyber Kiosk Management Information

Police Scotland undertake to each calendar month collate and present in a clear and precise manner the number of Kiosk examinations which have taken place. As an ERF can contain more than one device for examination, the number of devices examined will be presented rather than the number of ERFs. Information from the Cybercrime Case Management System (CMS) will be collated at the start of the calendar month and is accurate as of the specific time and date of retrieval.

In addition to the overall numbers, the following will also be reported on:

* Status of Owner – whether the device owner is a Complainer, Deceased, Missing Person, Not Officially Accused, Officially Accused or a Witness.
* Power of Seizure – the authority under which Police have taken possession of the device; Common Law, under Warrant, Statutory or Voluntary (consent).
* Reason for Device Examination – criminal investigation, death enquiry, instructed by Procurator Fiscal, missing person or National Security.
* Declined Forms – the number of examination requests declined by either Supervisory officer or the Cybercrime Gateway. Forms can be declined for many reasons, including the test of necessity and proportionality not having been met, but more commonly this is for administrative reasons such as the form containing insufficient detail or being incorrectly completed. In many cases amendments will be made and the form re-submitted.
* Completed Examinations – the number of Cyber Kiosk ERFs and devices completed, broken down by each Division.
* Crime Group & Crime Type – Crime Group is the overarching crime category and the Crime Types are sub-categories of the Group. For example, ‘Crimes of Dishonesty’ is a Crime Group with the sub-categories – the Crime Types – including Theft, Fraud and Housebreaking.

In February 2022 Police Scotland introduced a revised Communications’ Accessibility Strategy to comply with the Public Sector Bodies (Website and Mobile Applications) (No. 2) Accessibility Regulations 2018. This new strategy required a holistic review be undertaken of the information published by Police Scotland in relation to Cyber Kiosk to ensure that this was explained in context throughout the document and in an easy to understand format which was accessible to all.

In order to comply with the required changes in document accessibility, there are a number of minor changes which have been made to the layout and format of this document, and the granularity of information has been revised to make this as easy to interpret as possible and avoid unnecessarily complex charts and tables. The key changes from previous data are as follows:

1. The previously published flowchart depicting the ERF submission process has been removed as this was not compatible with accessibility software
2. The previously published “Table 1 Status of Owner / Power of Seizure” has now been split into four sub tables 1A – 1D in order to display this information in a more accessible format. This breaks down the number of devices seized using Common Law powers, warrant, statutory powers and voluntarily (with the consent of the owner) into separate tables, however the underlying information remains the same.
3. The previously published “Table 2 Status of Owner / Reason for Device Examination” has been narrowed in scope to “Reason for Device Examination” as the Status of Owner information was duplication of information shown in table 1.
4. The previously published tables 3, 4 and 5 – “Cyber Kiosk Examination Kiosk Declined / Completed East/North/West” have been revised and now present the number of ERFs and Devices declined in all Divisions on one page (table 3), and the number of ERFs and Devices completed in all Division on one page (table 4).
5. The previously published table 6 “Crime Group & Crime Type” have been separated into two separate tables – Crime Group (table 5) and Crime Type (table 6) in order to present this information in a more accessible format.

The information contained within this document remains consistent with commitments made regarding accountability and transparency concerning the use of Cyber Kiosks within Scotland.

For ease of reference, the Management Information has been laid out in tables, grouped as follows:

Table 1A Status of Owner / Power of Seizure – Devices seized using Common Law Powers

Table 1B Status of Owner / Power of Seizure – Devices seized under warrant

Table 1C Status of Owner / Power of Seizure – Devices seized using statutory powers

Table 1D Status of Owner / Power of Seizure – Devices seized voluntarily (with consent of the owner)

Table 2 – Reason for Device Examination

Table 3 – Cyber Kiosk Examination Requests – Declined

Table 4 – Cyber Kiosk Examination Requests – Completed

Table 5 – Cyber Kiosk Examination Requests – Crime Group

All information was extracted from the Cybercrime Case Management Systems (CMS) on 2nd June 2023 and may be subject to change due to operational or investigative developments.

# **Table 1 – Status of Owner / Power of Seizure – May** 2023

## Table 1A – Devices seized using Common Law powers

| Status Of Owner | ERFs | Devices |
| --- | --- | --- |
| Complainers | 1 | 1 |
| Deceased Persons | 50 | 64 |
| Missing Persons | - | - |
| Not Officially Accused Persons | 44 | 57 |
| Officially Accused Persons | 33 | 46 |
| Witnesses | 7 | 14 |
| Persons Unknown | 11 | 16 |

Information presented in the above table:

1 ERF (1 device) was completed where devices belonged to complainers and were seized using common law powers.

50 ERFs (64 devices) were completed where devices belonged to deceased persons and were seized using common law powers.

No ERFs were completed where devices belonged to missing persons and were seized using common law powers.

44 ERFs (57 devices) were completed where devices belonged to not officially accused persons and were seized using common law powers.

33 ERFs (46 devices) were completed where devices belonged to officially accused persons and were seized using common law powers.

7 ERFs (14 devices) were completed where devices belonged to witnesses and were seized using common law powers.

11 ERFs (16 devices) were completed where devices belonged to persons unknown and were seized using common law powers.

## Table 1B – Devices seized under warrant

| Status Of Owner | ERFs | Devices |
| --- | --- | --- |
| Complainers | - | - |
| Deceased Persons | 1 | 1 |
| Missing Persons | - | - |
| Not Officially Accused Persons | 35 | 72 |
| Officially Accused Persons | 27 | 66 |
| Witnesses | 2 | 3 |
| Persons Unknown | 19 | 68 |

Information presented in the above table:

No ERFs were completed where devices belonged to complainers and were seized under warrant.

1 ERF (1 device) was completed where devices belonged to deceased persons and were seized under warrant.

No ERFs were completed where devices belonged to missing persons and were seized under warrant.

35 ERFs (72 devices) were completed where devices belonged to not officially accused persons and were seized under warrant.

27 ERFs (66 devices) were completed where devices belonged to officially accused persons and were seized under warrant.

2 ERFs (3 devices) were completed where devices belonged to witnesses and were seized under warrant.

19 ERFs (68 devices) were completed where devices belonged to persons unknown and were seized under warrant.

## Table 1C – Devices seized using statutory powers

| Status Of Owner | ERFs | Devices |
| --- | --- | --- |
| Complainers | - | - |
| Deceased Persons | - | - |
| Missing Persons | - | - |
| Not Officially Accused Persons | 8 | 11 |
| Officially Accused Persons | 7 | 9 |
| Witnesses | - | - |
| Persons Unknown | 1 | 1 |

No ERFs were completed where devices belonged to complainers and were seized using statutory powers.

No ERFs were completed where devices belonged to deceased persons and were seized using statutory powers.

No ERFs were completed where devices belonged to missing persons and were seized using statutory powers.

8 ERFs (11 devices) were completed where devices belonged to not officially accused persons and were seized using statutory powers.

7 ERFs (9 devices) were completed where devices belonged to officially accused persons and were seized using statutory powers.

No ERFs were completed where devices belonged to witnesses and were seized using statutory powers.

1 ERF (1 device) was completed where devices belonged to persons unknown and were seized using statutory powers.

## Table 1D – Devices seized voluntarily (with consent of owner)

| Status Of Owner | ERFs | Devices |
| --- | --- | --- |
| Complainers | 3 | 3 |
| Deceased Persons | - | - |
| Missing Persons | - | - |
| Not Officially Accused Persons | - | - |
| Officially Accused Persons | - | - |
| Witnesses | 2 | 3 |
| Persons Unknown | - | - |

Information presented in the above table:

3 ERFs (3 devices) were completed where devices belonged to complainers and were seized with the express consent of the owner.

No ERFs were completed where devices belonged to deceased persons and were seized with the express consent of the owner.

No ERFs were completed where devices belonged to missing persons and were seized with the express consent of the owner.

No ERFs were completed where devices belonged to not officially accused persons and were seized with the express consent of the owner.

No ERFs were completed where devices belonged to officially accused persons and were seized with the express consent of the owner.

2 ERFs (3 devices) were completed where devices belonged to witnesses and were seized with the express consent of the owner.

No ERFs were completed where devices belonged to persons unknown and were seized with the express consent of the owner.

# Table 2 - Reason for Device Examination – May **2023**

| Reason For Examination | ERFs | Devices |
| --- | --- | --- |
| In Relation To A Criminal Investigation | 135 | 295 |
| In Relation To A Death Enquiry | 51 | 71 |
| In Accordance With An Instruction From The Procurator Fiscal | 40 | 69 |
| In Relation To A Missing Person Enquiry | 2 | 2 |
| For The Purposes Of Protecting National Security | - | - |
| For Purposes Which Were Not Detailed By The Investigating Officer. | - | - |

Information presented in the above table:

135 ERFs (295 devices) were completed in relation to a criminal investigation.

51 ERFs (71 devices) were completed in relation to a death enquiry.

40 ERFs (69 devices) were completed in accordance with an instruction from the Procurator Fiscal.

2 ERFs (2 devices) were completed in relation to a missing person enquiry.

No ERFs were completed for the purposes of protecting National security.

No ERFs were completed for purposes which were not detailed by the Investigating Officer.

# Table 3 - Cyber Kiosk Examination Requests – Declined – May **2023**

| Division | ERFs Declined | Devices Declined |
| --- | --- | --- |
| A Division | 28 | 41 |
| D Division | 19 | 26 |
| N Division | 13 | 19 |
| C Division | 4 | 7 |
| E Division | 25 | 73 |
| J Division | 19 | 36 |
| P Division | 7 | 18 |
| G Division | 34 | 71 |
| K Division | 13 | 22 |
| L Division | 4 | 8 |
| Q Division | 9 | 15 |
| U Division | 10 | 13 |
| V Division | 10 | 20 |
| Specialist Crime Division | 7 | 30 |

Information presented in the above table:

28 Cyber Kiosk ERFs (41 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in A Division.

19 Cyber Kiosk ERFs (26 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in D Division.

13 Cyber Kiosk ERFs (19 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in N Division.

4 Cyber Kiosk ERFs (7 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in C Division.

25 Cyber Kiosk ERFs (73 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in E Division.

19 Cyber Kiosk ERFs (36 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in J Division.

7 Cyber Kiosk ERFs (18 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in P Division.

34 Cyber Kiosk ERFs (71 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in G Division.

13 Cyber Kiosk ERFs (22 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in K Division.

4 Cyber Kiosk ERFs (8 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in L Division.

9 Cyber Kiosk ERFs (15 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in Q Division.

10 Cyber Kiosk ERFs (13 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in U Division.

10 Cyber Kiosk ERFs (20 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in V Division.

7 Cyber Kiosk ERFs (30 devices) were declined by either the authorising supervisor or the Cybercrime Gateway in Specialist Crime Division.

# Table 4 – Cyber Kiosk Examination Requests – Completed – May **2023**

| Division | ERFs Completed | Devices Completed |
| --- | --- | --- |
| A Division | 32 | 61 |
| D Division | 19 | 31 |
| N Division | 14 | 44 |
| C Division | 14 | 23 |
| E Division | 18 | 38 |
| J Division | 13 | 19 |
| P Division | 8 | 17 |
| G Division | 43 | 75 |
| K Division | 10 | 18 |
| L Division | 12 | 25 |
| Q Division | 18 | 30 |
| U Division | 9 | 10 |
| V Division | 10 | 20 |
| Specialist Crime Division | 8 | 26 |

Information presented in the above table:

32 Cyber Kiosk ERFs (61 devices) were completed in A Division.

19 Cyber Kiosk ERFs (31 devices) were completed in D Division.

14 Cyber Kiosk ERFs (44 devices) were completed in N Division.

14 Cyber Kiosk ERFs (23 devices) were completed in C Division.

18 Cyber Kiosk ERFs (38 devices) were completed in E Division.

13 Cyber Kiosk ERFs (19 devices) were completed in J Division.

8 Cyber Kiosk ERFs (17 devices) were completed in P Division.

43 Cyber Kiosk ERFs (75 devices) were completed in G Division.

10 Cyber Kiosk ERFs (18 devices) were completed in K Division.

12 Cyber Kiosk ERFs (25 devices) were completed in L Division.

18 Cyber Kiosk ERFs (30 devices) were completed in Q Division.

9 Cyber Kiosk ERFs (10 devices) were completed in U Division.

10 Cyber Kiosk ERFs (20 devices) were completed in V Division.

8 Cyber Kiosk ERFs (26 devices) were completed in Specialist Crime Division.

# Table 5 - Cyber Kiosk Examinations – Crime Group – May **2023**

| Crime Group | ERFs Completed | Devices Completed |
| --- | --- | --- |
| Group 1: Non Sexual Crimes Of Violence | 24 | 52 |
| Group 2: Sexual Crimes | 27 | 30 |
| Group 3: Crimes Of Dishonesty | 9 | 15 |
| Group 4: Fire-Raising, Malicious Mischief Etc. | 1 | 1 |
| Group 5: Other (Pro-Activity) Crimes | 107 | 261 |
| Group 6: Miscellaneous Offences | 21 | 26 |
| Group 7: Offences Relating To Motor Vehicles | 2 | 2 |
| Group 8: Areas Outwith The Control Strategy | 37 | 50 |

Information presented in the above table:

24 Cyber Kiosk ERFs (relating to 52 devices) were completed concerning Group 1: Non Sexual Crimes Of Violence investigations.

27 Cyber Kiosk ERFs (relating to 30 devices) were completed concerning Group 2: Sexual Crimes investigations.

9 Cyber Kiosk ERFs (relating to 15 devices) were completed concerning Group 3: Crimes Of Dishonesty investigations.

1 Cyber Kiosk ERF (relating to 1 device) was completed concerning Group 4: Fire-Raising, Malicious Mischief Etc. investigations.

107 Cyber Kiosk ERFs (relating to 261 devices) were completed concerning Group 5: Other (Pro-Activity) Crimes investigations.

21 Cyber Kiosk ERFs (relating to 26 devices) were completed concerning Group 6: Miscellaneous Offences investigations.

2 Cyber Kiosk ERFs (relating to 2 devices) were completed concerning Group 7: Offences Relating To Motor Vehicles investigations.

37 Cyber Kiosk ERFs (relating to 50 devices) were completed concerning Group 8: Areas Outwith The Control Strategy investigations.

# Table 6 - Cyber Kiosk Examinations – Crime Type – May 2023

| Crime Type | ERFs Completed | Devices Completed |
| --- | --- | --- |
| Murder | 3 | 16 |
| Attempted Murder | 6 | 12 |
| Culpable Homicide | - | - |
| Serious Assault | 4 | 7 |
| Robbery | 5 | 8 |
| Threats And Extortion | 2 | 2 |
| Miscellaneous | 3 | 3 |
| Rape | 15 | 18 |
| Attempted Rape | - | - |
| Sexual Assault | 3 | 3 |
| Public Indecency | 1 | 1 |
| Voyeurism | 2 | 2 |
| Brothel Keeping / Prostitution | - | - |
| Indecent Images Of Children (IIOC) | - | - |
| Extreme Pornography | - | - |
| Grooming Of Children | 1 | 1 |
| Sextortion | - | - |
| Communication Offences | 6 | 6 |
| Housebreaking / Opening Lockfast Places | 4 | 5 |
| Theft | 3 | 7 |
| Fraud | 2 | 3 |
| Fireraising | 1 | 1 |
| Vandalism | - | - |
| Computer Misuse Act | - | - |
| Culpable And Reckless Conduct | - | - |
| Human Trafficking | - | - |
| Offensive Weapons | 2 | 7 |
| Drug Supply | 96 | 232 |
| Serious & Organised Crime | 9 | 22 |
| Bail / Licence / Sopo Offences | 5 | 6 |
| Assault | 3 | 6 |
| Breach Of The Peace | - | - |
| Threatening & Abusive Behaviour | 8 | 9 |
| Stalking | 4 | 4 |
| Hate Crime | - | - |
| Wildlife Offences | - | - |
| Fatal RTC | 3 | 6 |
| Road Traffic | - | - |
| National Security | - | - |
| Missing Persons | 2 | 2 |
| Death - Unexplained | 5 | 5 |
| Death - Suspected Drugs | 28 | 41 |
| Fatal Accident | 2 | 2 |
| Anti-Corruption | - | - |

Information presented in the above table:

3 Cyber Kiosk ERFs (16 devices) were completed concerning Murder investigations.

6 Cyber Kiosk ERFs (12 devices) were completed concerning Attempted Murder investigations.

No Cyber Kiosk ERFs were completed concerning Culpable Homicide investigations.

4 Cyber Kiosk ERFs (7 devices) were completed concerning Serious Assault investigations.

5 Cyber Kiosk ERFs (8 devices) were completed concerning Robbery investigations.

2 Cyber Kiosk ERFs (2 devices) were completed concerning Threats and Extortion investigations.

3 Cyber Kiosk ERFs (3 devices) were completed concerning Miscellaneous investigations.

15 Cyber Kiosk ERFs (18 devices) were completed concerning Rape investigations.

No Cyber Kiosk ERFs were completed concerning Attempted Rape investigations.

3 Cyber Kiosk ERFs (3 devices) were completed concerning Sexual assault investigations.

1 Cyber Kiosk ERF (1 device) was completed concerning a Public Indecency investigation.

2 Cyber Kiosk ERFs (2 devices) were completed concerning Voyeurism investigations.

No Cyber Kiosk ERFs were completed concerning Brothel Keeping / Prostitution investigations.

No Cyber Kiosk ERFs were completed concerning Indecent Images of Children (IIOC) investigations.

No Cyber Kiosk ERFs were completed concerning Extreme Pornography investigations.

1 Cyber Kiosk ERF (1 device) was completed concerning a Grooming of Children investigation.

No Cyber Kiosk ERFs were completed concerning Sextortion investigations.

6 Cyber Kiosk ERFs (6 devices) were completed concerning Communication Offences investigations.

4 Cyber Kiosk ERFs (5 devices) were completed concerning Housebreaking / Opening Lockfast Places investigations.

3 Cyber Kiosk ERFs (7 devices) were completed concerning Theft investigations.

2 Cyber Kiosk ERFs (3 devices) were completed concerning Fraud investigations.

1 Cyber Kiosk ERF (1 device) was completed concerning a Fireraising investigation.

No Cyber Kiosk ERFs were completed concerning Vandalism investigations.

No Cyber Kiosk ERFs were completed concerning Computer Misuse Act investigations.

No Cyber Kiosk ERFs were completed concerning Culpable and reckless conduct investigations.

No Cyber Kiosk ERFs were completed concerning Human Trafficking investigations.

2 Cyber Kiosk ERFs (7 devices) were completed concerning Offensive Weapons investigations.

96 Cyber Kiosk ERFs (232 devices) were completed concerning Drug Supply investigations.

9 Cyber Kiosk ERFs (22 devices) were completed concerning Serious & Organised Crime investigations.

5 Cyber Kiosk ERFs (6 devices) were completed concerning Bail / Licence / SOPO Offences investigations.

3 Cyber Kiosk ERFs (6 devices) were completed concerning Assault investigations.

No Cyber Kiosk ERFs were completed concerning Breach of the Peace investigations.

8 Cyber Kiosk ERFs (9 devices) were completed concerning Threatening & Abusive Behaviour investigations.

4 Cyber Kiosk ERFs (4 devices) were completed concerning Stalking investigations.

No Cyber Kiosk ERFs were completed concerning Hate Crime investigations.

No Cyber Kiosk ERFs were completed concerning Wildlife offences investigations.

3 Cyber Kiosk ERFs (6 devices) were completed concerning Fatal RTC investigations.

No Cyber Kiosk ERFs were completed concerning Road Traffic investigations.

No Cyber Kiosk ERFs were completed concerning National Security investigations.

2 Cyber Kiosk ERFs (2 devices) were completed concerning Missing Persons investigations.

5 Cyber Kiosk ERFs (5 devices) were completed concerning Death - Unexplained investigations.

28 Cyber Kiosk ERFs (41 devices) were completed concerning Death - Suspected Drugs investigations.

2 Cyber Kiosk ERFs (2 devices) were completed concerning Fatal Accident investigations.

No Cyber Kiosk ERFs were completed concerning Anti-Corruption investigations.

Police Scotland remain committed to ensuring that Cyber Kiosks are used legally and proportionately to support victims and witnesses of crime and to bring offenders to justice. All examination requests are subject to a robust two-stage assessment and approval process, with an initial assessment made by an officer of at least the rank of Sergeant and the second by specialist officers and staff within the Cybercrime business area. Each assessment considers the legality, necessity, proportionality and justification of the examination request, and examination cannot proceed until the request has been approved at both stages.

The integration of Cyber Kiosks into Police Scotland presented unique opportunities to engage with stakeholders in critical partner agencies including the Crown Office and Procurator Fiscals Service (COPFS), Scottish Institute for Police Research (SIPR), Privacy International, Scottish Human Rights, Information Commissioners Office (ICO) and victim and witness advocacy groups and organisations who represent some of the most vulnerable members of our communities.

The creation of the Cyber Kiosk Stakeholders Group and the Cyber Kiosk External Reference Group allowed Police Scotland to gain a comprehensive understanding of the key concerns which existed in relation to the use of Cyber Kiosks and to develop revised processes in partnership with members. The lessons learned during public engagement events enhanced a number of existing processes, including how and when informed consent for digital examination is requested and recorded from victims and witnesses of crime, and detailed information regarding this is now published on the Police Scotland website.

Police Scotland will continue to publish this information on a monthly basis.