| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-1468Responded to: 15 July 2025 |
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Your recent request for information is replicated below, together with our response.

**I am writing to request the following information under the Freedom of Information Act 2000, in relation to your force's Digital Forensics Unit.**

**1.Device Submissions and Backlog**

**a. The number of devices currently awaiting examination.**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, it is not possible to determine this without researching each case individually to identify whether there were still outstanding devices awaiting examination - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations given that in 2023 alone there were 5,936 Examination Request Forms approved.

**b. As of the present day, the number of devices that have been awaiting examination for under 30 days, 30 days - 3 months, 3 – 6 months, 6 months – 1 year and 2 – 3 years, 3 – 4 years, 4 years +.**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, it is not possible to determine this without researching each case individually to identify how long each device has been awaiting examination - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations given that in 2023 alone there were 5,936 Examination Request Forms approved.

If I were to estimate it would take approximately 5 mins per record to identify how long each device has been awaiting examination as detailed above, this would take 495 hours to complete and would cost £7,425. This is in excess of the 40 hour and £600 cost limit.

**c. Your force’s target turnaround time for completing forensic investigations.**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies. Police Scotland’s digital forensic unit do not have specified service level agreements (SLAs) in place. Examinations are assessed on a case-by-case basis in partnership with COPFS and prioritised accordingly.

**2.Staffing and Capacity**

**a. The number of full-time equivalent staff currently working in the DFU, broken down by role if possible.**

**b. Any vacancies or staffing shortfalls affecting the DFU in the last 12 months.**

The information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the following exemptions apply:

**35(1)(a)&(b) – Law Enforcement**

Information is exempt information if its disclosure under this Act would or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

Public safety is of paramount importance and disclosure of this information would allow criminals the ability to assess the capability of Police Scotland. Disclosure of this information would enable criminals to build a picture of resources and capabilities regarding digital forensics and as such would allow them to carry out their criminal activities. To disclose this information into the public domain would compromise the effective delivery of operational law enforcement.

This is a non-absolute exemption and requires the application of the public interest test.

**Public Interest Test**

As you will be aware, the exemption listed above is non-absolute and requires the application of the Public Interest Test. I would suggest that public accountability would favour disclosure, given that the information concerns the efficient and effective use of resources by the Service. Likewise, disclosure of the information would also inform the public debate on the issue of policing, in particular digital forensics and would contribute to the accuracy of that debate.

Furthermore, the applicability of the exemption listed above, the need to ensure the effective conduct of the service in relation to prevention and detection of crime and, the public safety considerations involved in the delivery of operational policing clearly favour non-disclosure of the information requested.

On balance I would contend that the public interest in disclosing the information is outweighed by that in maintaining the exemption listed, as, it is doubtful if it can ever be in the public interest to disclose information which would jeopardise the delivery of policing and the safety of individuals and prejudice the prevention or detection of crime.

**3.Accreditation and Quality**

**a. Whether your DFU is accredited to ISO/IEC 17025, and if so, for which types of digital forensic activity.**

Police Scotland are working towards accreditation in terms of ISO/IEC 17025.

**4.Efficiency Measures**

**a. Whether your DFU uses triage processes or tools to prioritise devices or speed up examination.**

Yes, Police Scotland’s digital forensic labs use triage processes and tools to prioritise, however we are unable to name specific tools / processes as providing details would significantly increase the risk of criminal actors taking evasive measures to frustrate ongoing and future investigations, such as actively identifying devices which cannot currently be examined by Police Scotland and using these to evade detection / prosecution.

**b. Whether your force uses any form of AI or automation to support digital forensic work.**

Having considered your request in terms of the Act, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18.

Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.
Whilst we accept that there is a public interest in better informing the public as to the use of technology within Police Scotland, the overwhelming public interest lies in protecting the integrity of investigative tools and techniques used.
* If the information was held, it would be exempt from disclosure in terms of at least one exemption set out in the Act. In this instance, the following exemptions apply:

**Section 31(1) – National Security and Defence**

Information is exempt information if exemption from section 1(1) is required for the purpose of safeguarding national security.

If the information is disclosed it may assist terrorist organisations to identify, with some accuracy the resources and capabilities of our cybercrime department and as such would allow them to carry out their criminal or terrorist activities.

This is a non-absolute exemption and requires the application of the public interest test.

**35(1)(a)&(b) – Law Enforcement**

Information is exempt information if its disclosure under this Act would, or would be likely to; prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

Public safety is of paramount importance and disclosure of this information would allow criminals and terrorists the ability to assess the capability of Police Scotland. Disclosure of this information would enable criminals to build a picture of resources and capabilities of our cybercrime department and as such would allow them to carry out their criminal or terrorist activities. To disclose this information into the public domain would compromise the effective delivery of operational law enforcement.

This is a non-absolute exemption and requires the application of the public interest test.

**39(1) – Health, safety and the environment**

Disclosure of the information requested would prove extremely useful for criminals and those intent on wrongdoing, to estimate the level of cybercrime resources deployed by the Police and would assist them in circumventing the efficient and effective provision of law enforcement by the police service, which in turn would have an adverse impact on the safety of the officers involved and the general public.

This would increase the risk to the personal safety of individuals and also the safety of the police officers responding to incidents.

This is a non-absolute exemption and requires the application of the public interest test.

**Public Interest Test**

As you will be aware, the exemptions listed above are non-absolute and require the application of the Public Interest Test. I would suggest that public accountability would favour disclosure, given that the information concerns the efficient and effective use of resources by the Service. Likewise, disclosure of the information would also inform the public debate on the issue of policing, in particular digital examination of devices and would contribute to the accuracy of that debate.

Furthermore, the applicability of the exemptions listed above, the need to ensure the effective conduct of the service in relation to prevention and detection of crime and, the public safety considerations involved in the delivery of operational policing clearly favour non-disclosure of the information requested.

It is important to note that the UK does face a serious and sustained threat from violent extremists and this threat is greater in scale and ambition than any terrorist threats in the past. The police service has a duty to promote the safety of all individuals, and releasing information which may provide those involved in crime or terrorism additional information to evade detection via digital investigation might jeopardise this goal. To provide details of resources allocated to digital examination of specific devices and the capabilities we hold in this regard is likely to place individuals at serious and increased risk.

On balance I would contend that the public interest in disclosing the information is outweighed by that in maintaining the exemptions listed, as, it is doubtful if it can ever be in the public interest to disclose information which would jeopardise the delivery of policing and the safety of individuals and prejudice the prevention or detection of crime.

**c. Whether any part of your digital forensic workload is outsourced to external providers, and if so, approximately what percentage.**

Police Scotland do not outsource digital forensic examinations, therefore the information sought is not held by Police Scotland and section 17 of the Act therefore applies.

**d. Please disclose any regional or national forensic units you've collaborated with within the past year.**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies. By way of explanation, Police Scotland regularly work in partnership with regional and national forensic units in relation to ongoing enquiries, however records of which agency and when are not retained.

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 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 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.