| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-xxxxResponded to: xx January 2024 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## I would be grateful if you would please provide me with the date that Dumfries and Galloway NHS first informed Police of the ransomware cyberattack in 2024 and when it was recorded as a crime (if different dates).

The matter you are enquiring about is the subject of a live enquiry therefore the exemptions that I consider to be applicable to the information requested by you are:

Section 34(1)(b) of the Act provides an absolute exemption from disclosure in that information is exempt information if it has at any time been held by Police Scotland for the purposes of an investigation which may lead to a decision to make a report to the Procurator Fiscal to enable it to be determined whether criminal proceedings should be instituted.

Section 35(1)(b) – Law Enforcement

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

In regard to Section 35(1)(a)(b) and 39(1), as per the above, release of this information would be likely to prejudice substantially the ability of the police to investigate and detect crime, and would have a similar detrimental impact on the apprehension or prosecution of offenders.

These are non-absolute exemptions and requires the application of the public interest test:

I do appreciate that there is a degree of interest in the release of the information you have requested and that to do so would help inform public debate on the issue of policing, in particular cyber security and would contribute to the accuracy of that debate.

Nevertheless, it would not be in the public interest to release information that would prejudice law enforcement, or which is likely to have an adverse impact upon public safety. It is essential that any release of information does not interfere or prejudice enquiries or risk such enquiries in the future. To do so would put the enquiries at risk and to do so would be vastly against the public interest.

Accordingly, in this case it is assessed that the public interest lies firmly in refusing disclosure.

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](http://www.itspublicknowledge.info/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.