

Our Ref: IM-FOI-2022-2718
Date: 17th January 2023



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

On 25 October 2022, NPCC Cybercrime Programme Lead Andrew Gould said in a parliamentary sitting that “about £100m” has been invested over the past four years building up the UK’s police forces ability to seize crypto, creating crypto tactical advisers across every police force, and procuring investigative tools to support crypto seizure.

Please could you provide the following:

- A breakdown of how much your police force has spent on targeting crypto-related crime, and a breakdown of what this was spent on, since 1 January 2018**
- A breakdown of the procured investigative tools your police force has acquired to target crypto-related crime, and the costs of these tools, since 1 January 2018**
- A list of how many sourced, recruited, or trained crypto tactical advisers your police force has received since 1 January 2018**

Following a clarification request to advise that the funding quoted does not apply to Police Scotland, you advised you were content for the request to be progressed on that basis.

A breakdown of how much your police force has spent on targeting crypto-related crime, and a breakdown of what this was spent on, since 1 January 2018

Police Scotland does not have a specific spend towards crypto-related crime and instead it will be covered by the main policing budget. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

By way of assistance, I can confirm that in addition to specialist officers, as part of the Policing in a Digital World programme, all front line staff have been given guidance in the form of our cybercrime first responders app on each of their mobile devices. This guidance includes information on Crypto currency types, storage and preventative guidance.

A breakdown of the procured investigative tools your police force has acquired to target crypto-related crime, and the costs of these tools, since 1 January 2018

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In terms of section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information requested.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

- (a) states that it holds the information,
- (b) states that it is claiming an exemption,
- (c) specifies the exemption in question and
- (d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested.

The exemptions that I consider to be applicable to the information requested by you are:

Section 31(1) – National Security and Defence

Section 35(1)(a)&(b) – Law Enforcement

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

Section 31(1) – National Security and Defence

If the information is disclosed it may assist terrorist organisations to identify, which tools and software Police Scotland uses in regards to crypto currency related crimes and therefore allow them to take efforts to avoid detection. This would provide them with a tactical advantage when planning or perpetrating their terrorist plans and activities allowing them to cause the maximum impact of destruction and disruption.

The security of the United Kingdom is of paramount importance and Police Scotland will not disclose further details of such information if it would impact on National Security.

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

35(1)(a)&(b) – Law Enforcement

The request information, if disclosed, could be used to identify which tools and software Police Scotland uses in regards to crypto currency related crimes and therefore allow them to take efforts to avoid detection or conceal the proceeds of their crimes. Disclosure could have a negative effect on law enforcement should the release of information be used and manipulated by criminal fraternities to further their criminal activities.

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

39(1) – Health, safety and the environment

The disclosure of the information requested may have the potential to increase the risk that those involved in crime will become more difficult to detect or allow them to more easily evade proceeds of criminal activity being identified. This could result in increased criminal activity which has the potential to present a risk to officer safety as well as the safety of the public in general.

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 and money spent in this regard. Likewise, disclosure of the information would also inform the public debate on the issue of policing and contribute to the accuracy of that debate in an area of particular interest, namely cybercrime.

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 will not reveal any information that might jeopardise this goal. To provide details of tools or software used 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.

Should you require any further assistance please contact Information Management quoting the reference number given.

A list of how many sourced, recruited, or trained crypto tactical advisers your police force has received since 1 January 2018

There is no specific role of a crypto currency tactical adviser within Police Scotland. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

To be of some assistance however, I can confirm we have specialist officers who have the capability to advise in this area.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision.

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You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

