| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1896  Responded to: 18th August 2023 |
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Your recent request for information is replicated below, together with our response.

## Do you have a digital forensics unit?

Information regarding Police Scotland’s Cybercrime Investigations and Digital Forensics Departments can be found on our website via the following link:-

[Cybercrime Investigations and Digital Forensics - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/specialist-crime-division/cybercrime-investigations-and-digital-forensics/)

## Do you deal with drone data?

I can confirm that yes, Police Scotland’s Digital Forensic Analysts are able to examine drones, following consideration and authorisation of each request.

## How often do you use data from drones?

There are no date parameters detailed however I can advise you that Police Scotland does not “use data from drones” in general terms, but we do extract information from them following scrutiny of any request for necessity, proportionality, relevancy and legality.

In 2023 to date, 3 drones have been authorised for examination by Digital Forensic Analysts.

## Specifically what type of data do you normally use from drones?

As stated in our response to your previous question, Police Scotland’s Digital Forensics does not use data from drones but does have the capability to extract data from drones if the request is proportionate, justified and necessary to an investigation.

## What software do you use in relation to the extraction and analysis of drone data?

## What open-source tools for drone data analysis and extraction do you use?

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

With respect to your request I believe that the relevant exemptions are:

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

Information is exempt information if it is required for purpose of safeguarding national security.

Disclosing the technological capabilities of Police Scotland will assist groups, organisations and those with hostile intent to identify technology used and allow them to devise methods to overcome those technological capabilities. In turn this would provide a tactical advantage when planning or perpetrating any unlawful activities and maximise the impact of destruction, harm and disruption that may be caused.

The public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

**Section 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.

Publicly disclosing tools and technologies used for drone forensics will assist groups, organisations and those with hostile intent to identify technology used in the examination and evidence gathering investigative process. This would then provide a tactical advantage when planning or perpetrating any unlawful activities and maximise the impact of destruction, harm and disruption that may be caused, whilst avoiding being brought to justice.

One of the main purposes of the Police Service is to prevent crime but to release this information would be contrary to that purpose.

**Section 39(1) Health, Safety and the Environment**

As earlier noted, the disclosure of the information requested has the potential to increase the number of attacks on public figures, other protected establishments and individuals and increase the risk of harm to the public.

Additionally, disclosure of the requested information has the potential to present a risk to an individual’s personal safety.

**Public Interest Test**

I would suggest that public accountability may 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 and contribute to the accuracy of that debate.

However, any disclosure under FOI legislation is a disclosure to the world at large and any information identifying the focus of policing activity could be used to the advantage of criminals.

Consequently, in terms of 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.

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.