| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0463  Responded to: 03 March 2023 |
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Your recent request for information is replicated below, together with our response.

## ACPO guidance on Online Research and Investigation states: “The creation of a false [social media] persona should be agreed by a Detective Inspector (Intelligence or Covert Policing) or equivalent. Each agency should maintain a register of all such profiles created and used in the force/agency. This register should be maintained centrally and periodically reviewed taking into account the necessity and proportionality of maintaining and using each registered persona. A log, recording the time, date, user and the policing purpose, should be maintained for each use of a false persona.”

## I’m seeking:

## 1. The number of authorisations granted for the creation of false social media personas by Police Scotland officers in each calendar year from 2018 to 2022 (inclusive).

## 2. A list of column headings contained in the Police Scotland false social media persona register and, if applicable, row headings.

## 3. A list of options for entering data under each specific column heading and/or row heading in the Police Scotland social media persona register.

## 4. The number of entries in the Police Scotland social media persona register, broken down by platform (including but not necessarily limited to Facebook, YouTube, WhatsApp, Twitter, Instagram, TikTok, Snapchat, Telegram, Pinterest, Reddit, LinkedIn, Tinder, Bumble, and Hinge.)

## 5. A list of column headings contained in the Police Scotland log recording the use of false social media personas and, if applicable, row headings.

## 6. A list of options for entering data under each specific column heading and/or row heading in the Police Scotland log recording the use of false social media personas.

## 7. The number of entries in the Police Scotland log recording the use of false social media personas, broken down by platform (including but not necessarily limited to Facebook, YouTube, WhatsApp, Twitter, Instagram, TikTok, Snapchat, Telegram, Pinterest, Reddit, LinkedIn, Tinder, Bumble, and Hinge.)

Having considered your request for contact details in terms of the Freedom of Information (Scotland) Act 2002, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18 of the Act.

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 you may have a particular personal interest in being informed as to whether or not the information sought is held, the overwhelming public interest lies in protecting individuals’ right to privacy and the expectation of confidence that the public have in Police Scotland as regards their information.

If the information was held, it would be exempt from disclosure in terms of one or more of the exemptions set out in sections 28 to 35, 38, 39(1) or 41 of the Act.

The following exemptions are considered relevant:

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

Section 39 (1) Health and Safety

Section 34 Investigations

It is acknowledged that matters relating to the use of these measures are of public interest and such awareness may favour confirming or otherwise the existence of further information of relevance, as it would contribute to the public debate surrounding the issue.

However I would argue that the integrity of any investigative proceedings would be significantly undermined if we were to confirm the extent of information held, through FOI or otherwise, and any such disclosure would substantially prejudice the ability of Police Scotland with regards the prevention and detection of crime and the apprehension or prosecution of offenders.

Section 2(1) & (2) of the Act provides that information can only be considered exempt in terms of the exemptions set out above to the extent that the public interest in disclosing the information is not outweighed by that in maintaining the exemption.

Public Interest

The key test when considering where the balance of public interest lies is to establish whether, in all the circumstances of the request, the public interest in confirming or denying the information is held is not outweighed by maintaining the exemption(s).

Although I consider that public awareness would favour a disclosure as it would contribute to the public debate surrounding the application of these measures, we must ensure that the release of this level of detail is not inadvertently providing potentially harmful information and placing an individual or any investigation at risk.

In conclusion, I would argue that the need to ensure the efficient and effective conduct of the service favours non-disclosure of the information requested and on balance is significantly in the public interest. I cannot identify any corresponding viewpoint in disclosing the requested information and therefore the exemptions are upheld.

I must advise you that it is doubtful it could 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.

This explanation should not be taken as indicative or conclusive evidence that the information you have requested does or does not exist.

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.