| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0619  Responded to: 9 April 2024 |
| --- | --- |

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

## I'm researching the prevalence of incidents and crimes linked to 'deep fake' imagery. I'd be grateful if you could disclose the following, in an Excel spreadsheet where possible and broken down for each year between February 2019 and February 2024:

## The number of incidents and crimes recorded by the force that had 'deepfake' or 'deep fake' mentioned in the notes (please do not combine the number of incidents and crimes).

## The offence descriptions for each of those recorded incidents or crimes

## The outcomes associated with each of the incidents or crimes disclosed

## The associated notes for each of the crimes or incidents, if they can be disclosed within the cost and time limits (I understand there may be a need for the redaction of identifying details).

In researching your request, a keyword search of the Police Scotland incident recording system, STORM, was carried out for ‘deepfake’ or ‘deep fake’.

I must stress that Police Scotland does not consider keyword searches for specific words/ phrases to be an accurate means of analysis.

There may be incidents of relevance to your request which do not include the specific phrases you have listed.

Similarly, although the phrase may appear in an incident log, it cannot be assumed on that basis that the incident was directly related to the subject matter of your request.

The search identified 11 incidents of potential relevance to your request.

2 however on further review, whilst they include the relevant phrase, can be disregarded due to context.

Of the remaining 9 incidents, 1 related to audio and the remainder photos or videos, where they had either been sent to the caller, been posted online, or the caller had received threats regarding such action.

1 was recorded in 2020, 1 in 2021, 2 in 2022, 6 in 2023 and 1 in 2024 to date.

3 of the incidents resulted in the creation of a crime report. The remainder were marked that no crime had taken place.

As regards any further information about the incidents, such as the notes associated, 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:

Section 34(1)(b) - Investigations

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

Section 38(1)(b) - Personal Data

Section 39(1) - Health and Safety

The information sought has been gathered for the purposes of a Police Scotland investigation which may lead to a report to the Crown Office and Procurator Fiscal Service (COPFS). The investigation process and any subsequent prosecution cannot be jeopardised by the public disclosure of detailed information about the case.

Furthermore, the incident reports contain extensive personal information, the subject matter of which is distressing for the parties involved.

Beyond the brief details provided above, it is our assessment that it cannot be in the public interest to disclose further detail at this time.

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.