| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-2261Responded to: 17 September 2024 |
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Your recent request for information is replicated below, together with our response.

**1. The total number of reported cases involving stolen cryptocurrency during this period (including but not limited to funds lost in hacks, fraud, scams).**

**Please include the total number of cases and the total value of the stolen cryptocurrencies (at the time of theft).**

**Please also break down the cases by their current status.**

**For closed cases, specify how many were closed due to lack of jurisdiction/referred to another police force, closed due to solving the crime being unlikely, closed due to lack of police resources, and closed due to crime not being serious enough.**

**2. Of all reported cases, how many involved successfully tracing stolen funds to/through a cryptocurrency exchange or a digital wallet hosted by a cryptocurrency exchange?**

**(An exchange is defined as a place where users can buy, sell and trade cryptocurrency, for example Binance or Coinbase.)**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

To explain, stolen cryptocurrency is not a recorded crime type on our systems, to provide you with the information sought would require a manual search of all crime reports for relevance.

## 3. Of these cases involving exchanges, how many resulted in an officer attempting to contact the exchange?

## In cases where an exchange was contacted, did they cooperate with law enforcement?

## Cooperation is here defined as:

## Acknowledgment and timely response: The exchange acknowledges the request from law enforcement and responds within a reasonable time frame.

## Compliance with requests: The exchange complies with lawful requests, such as providing transaction data, account information, or assisting in identifying the individual(s) behind the transactions.

## Freezing or restricting funds: The exchange takes appropriate action to freeze or restrict access to stolen funds when requested, in accordance with legal requirements.

## 4. Please provide a list of the names of exchanges that either did not respond to requests or did not cooperate with law enforcement as per the above criteria.

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

- 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.

If the above data was held, the following exemptions would be considered relevant:

**Section 34(1)(b) - Investigations**

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.

**35(1)(a)&(b) – Law Enforcement**

The information requested is exempt, as its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and apprehension or prosecution of offenders.

If the details of Police Scotland’s investigations were disclosed, experience has shown that it would allow those intent on committing crime or causing disorder to gauge the likelihood of detection or to take measures to negate the likelihood of detection. It would allow criminals to plan how best to engage or occupy existing police resources in an effort to maximise their chances of committing serious crime, therefore harming the efficient and effective conduct of the service.

Such information would prove extremely useful information for persons involved in criminality as they would be able to plan and conduct their activities to avoid detection. It would confirm the resources available in a specialised area of policing, which would allow those intent on wrong doing to judge the police response to a variety of incidents. In turn this would prejudice substantially the ability for our officers to prevent and detect crime and apprehend or prosecute offenders.

Disclosure would have an adverse impact on the ability of the Police to carry out its law enforcement role effectively, and thereby prejudice substantially the prevention and detection of crime.

## Public Interest Test

As you will be aware, the two exemptions detailed above are non-absolute and require the application of the public interest test. Public awareness would favour a disclosure as it would contribute to the public debate surrounding investigations into stolen cryptocurrency.

That said, I would contend that to ensure efficient/effective conduct of our investigations and to prevent the risk to the detection and prevention of crime that it cannot be in the public interest to release such information.

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.