| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-2707Responded to: 12 December 2023 |
| --- | --- |

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

## What advice has Police Scotland, Cybercrime Unit received regarding communicating with Defence Expert Witnesses?

In terms of Section 17 of the Act, I can confirm that the information you have requested is not held by Police Scotland.

By way of explanation, no advice has been received regarding communication with defence expert witnesses.

## Have the COPFS advised the Cybercrime Unit and Police Scotland in general, not to communicate with Defence Experts via the Expert’s business email address.

In terms of Section 17 of the Act, I can confirm that the information you have requested is not held by Police Scotland.

By way of explanation no advice regarding communication with defence experts via business email has been received from COPFs.

Police Scotland consider it best practice that emails between the organisation and defence experts are sent to a secure email address to avoid the risk of sensitive data being intercepted and to ensure that Police Scotland comply with the requirements of the Data Protection Act 2018.

It is accepted that in some circumstances it may be necessary to use a business email address for urgent correspondence, for example, a short-notice cancellation of a prearranged meeting, this should be by exception and such emails must not contain any sensitive information that could identify any associated court proceedings or accused persons.

## If the answer to question two is yes – On what basis was such advice given? Who or what department instigated the change.

Due to the response to question 2 above, this question is non applicable.

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.