



Your reference: n/a

Our reference: FOI_24_0778

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Date: 18/10/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0778

On 21/08/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Could you please provide a figure for the total amount of Bitcoin currently held by the Gloucestershire Constabulary and the total amount of Bitcoin sold by the Gloucestershire Constabulary, since 26 April 2024, when sections 3C to 3F of the Economic Crime and Corporate Transparency Act 2023 came into force?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

With regard to the above requested information, the following exemptions apply:

Section 31(1) – Law Enforcement

Section 31 is a prejudice-based and qualified exemption. There is a requirement to articulate the harm in disclosing such information as well as carrying out a public interest test.

Evidence of Harm

The Harm Test process requires Gloucestershire Constabulary to consider any possible harm that might arise as a result of placing the requested information into the public domain. This process considers the potential harm to:

- Individuals

- The community as a whole
- Gloucestershire Constabulary and the wider policing service
- Other bodies

Policing is an information-led activity, and information assurance (which includes information security) is fundamental to how the Police Service manages the challenges faced. In order to comply with statutory requirements, the College of Policing Authorised Professional Practice for Information Assurance has been put in place to ensure the delivery of core operational policing by providing appropriate and consistent protection for the information assets of member organisations, see below link:

<https://www.app.college.police.uk/app-content/information-management/>

It is widely recognised that criminals use Cryptocurrency to take advantage from the perceived anonymity of digital assets for illicit purposes. Cryptocurrency transactions can also be for vast amounts.

It is accepted that there has been information previously released into the public domain that confirms the amount of Cryptocurrency seized under law enforcement purposes. However, a motivated actor with the right tools can use this information, using methods that map out exactly where the funds may have originated from, confirming that they have been seized and that criminality had been identified. Therefore there exists a risk of forewarning criminals which in turn could jeopardise investigations if there are outstanding suspects or funds that have yet to be seized or restrained.

Providing information to the wider public about the volume of assets stored increases the risk of cyber-attacks, insider threat and other hostile actions by those who may wish to infiltrate either the supplier or law enforcement.

Public Interest Test

Factors in Favour of Disclosure

Confirming the amount of Cryptocurrency held by the Constabulary would be of interest to the public, namely give insight into the processes used to solve crimes, and widen public discussion on such matters.

Factors against Disclosure

Measures are put in place to protect the community we serve and as evidenced within the harm, to provide a size of Cryptocurrency currently held and sold would allow individuals intent on disrupting law enforcement from targeting specific organised crime gangs, and criminality overall; using the information obtained to maximise the impact.

Taking into account the security climate within the United Kingdom, and the sensitive nature of criminal investigations, no information which may aid criminality should be disclosed. It is clear that it would have an impact on a Force's ability to carry out the core duty of enforcing the law and serving the community.

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.

Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. In order to effectively and robustly carry out those duties, external services are utilised which are vital to investigating criminal activity. Weakening the mechanisms used to investigate any type of criminal activity would have a detrimental impact on law enforcement as a whole.

To provide the overall sums of Cryptocurrency held by Gloucestershire Constabulary, despite the known risks of cyber-attacks would undermine any trust or confidence the public have in the Police Service.

Therefore, at this moment in time, it is our opinion that the balance test favours against the disclosure of the information requested.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary