



Your reference: n/a

Our reference: FOI_24_0811

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 07/01/2025

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0811

On 04/09/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to request information regarding cases related to stolen cryptocurrency under the Freedom of Information Act 2000. I would be grateful if you could provide the following details for the period from 1st January 2023 to 31st July 2024:

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.)

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.

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

Police Forces in the United Kingdom are routinely required to provide statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons the figures given relate to information from the specific recording system of Gloucestershire Constabulary and should not be used for comparison purposes with any other response you receive.

Please note that our systems are designed to record information for policing purposes and the investigation of crime and not to extract statistical information. Accordingly whilst we endeavour to extract relevant data within the time limits of the Act, any data supplied is subject to these limitations.

1. I can confirm a search has been conducted of our Crime Recording System for all crimes recorded between 01/01/2023 and 31/07/2024 that have been recorded as an offence within the Theft Act, that also have an online tag applied to them. A manual review has then been conducted to ascertain if any of these crimes relate to your request – this has resulted in 0 crimes.

With regard to questions 1, 2 and 3:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon s17 of FOIA requires that we provide the applicant with a notice which: a) states that fact b) specifies the exemption(s) in question and c) states (if that would not otherwise be apparent) why the exemption applies.

Gloucestershire Constabulary can neither confirm nor deny that it holds any information in relation to systems used for intelligence purposes as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

Harm in Confirming or Denying that Information is held

Freedom of Information is considered to be a release to the world as once the information is published the public authority, in this case Gloucestershire Constabulary, has no control over what use is made of that information. Whilst not questioning the motives of the applicant it could be of use to those who seek to disrupt any police investigation.

Confirmation or denial that Gloucestershire Constabulary holds information about tracing stolen cryptocurrency through cryptocurrency exchanges relates to the methodology of such investigations, which is ultimately indicative of investigative tactics used by UK policing. To confirm information (if held) in this regard would inform criminal subjects of the approach, as well as the associated success rate of tactics that may be used by UK Policing and would likely cause criminals to adapt their activity accordingly. This could be to the detriment of providing an efficient policing service and a failure in providing a duty of care to all members of the public; ultimately causing more harm to victims of crime.

It remains our position that under FOIA Gloucestershire Constabulary will not confirm or deny whether it holds any information pertinent to your request. To confirm whether any information is held in respect of one piece of information and then neither confirm nor deny whether another piece of information is held, is likely to lead the public to deduce that information is held where a NCND response is applied. An increase in crime which arises out of an inconsistent approach to the 'NCND' principle may lead to an escalation of criminal activity that could have a detrimental effect on police investigations.

Public Interest Test

Factors favouring confirmation or denial for S31

By confirming or denying whether information is held would show the public where funds are being spent. It would provide reassurance that the Police treat this type of crime seriously and all investigations are conducted robustly. Better public awareness may lead to more information from them.

Gloucestershire Constabulary is committed to openness and transparency with the general public. When a request for information is made it is correct that the police make appropriate information available to the general public. The provision of information, through confirming or denying whether information relevant to this request is held would accordingly, reinforce our commitment to being an open and transparent organisation.

Factors against confirmation or denial for S31

By confirming or denying whether or not Gloucestershire Constabulary hold information relevant to this request would compromise investigations, thus hindering the prevention and detection of crime. To confirm that information is held and then provide it might allow those who are concerned with stealing cryptocurrency to adapt their behavior with a view to evading detection as they would be better informed as to how the police might conduct investigations of this nature. This could impact on police resources, investigations themselves and ultimately add to the public purse.

Overall Balance Test

When balancing the Public Interest Test we have to consider whether the information, if held, should be released into the public domain. Arguments need to be weighed against each other.

As mentioned above, there is public interest in knowing how the police conduct investigations and whether or not any tactics used are successful, and this will only be overridden in exceptional circumstances. Yet to confirm or deny the existence of the requested information would allow interested parties to gain an upper hand and awareness of policing tactics used during investigations, leading to an increase of harm to such investigations.

Whilst to confirm or deny that information is held would reassure the public that any investigation had been or was being properly conducted and allow for a greater understanding of how information has been gathered, this could undermine the role and effectiveness of any future investigations. Any disclosure of information, if held, which has the potential to jeopardise an investigation, is therefore likely to prejudice law enforcement.

In conclusion, after weighing up the competing interests I have determined that confirmation or denial that the information requested is held would not be in the public interest. However, this should not be taken as necessarily indicating that any information that would meet your request exists or does not exist.

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