

27 September 2024

FOI Ref 17183

Request - You asked us the following:

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

We received your request on 21/08/2024 and have processed this under the Freedom of Information Act (FOIA).

Please find below our response.

Staffordshire Police can neither confirm nor deny whether information relevant to this request is held, as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Staffordshire Police declines to confirm whether information is or is not held for the following reasons:

The Harm Test process requires Staffordshire Police 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
- Staffordshire Police 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/>

Staffordshire Police can neither confirm nor deny information is or is not held due to the risk of providing potential offenders with the right tools to 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.

The following exemptions have been applied:

- Section 31(3) Law Enforcement

Section 31 is a prejudice based qualified exemption and any prejudice (harm) that confirming or denying information is held would cause must be articulated as well as the public interest considerations.

Public Interest Test:

Factors favouring confirming or denying whether information is held

Confirming or denying whether information is held regarding the size of seized Cryptocurrency transactions 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 confirming or denying whether information is held

Measures are put in place to protect the community we serve and as evidenced within the harm, to confirm or deny information is held regarding Cryptocurrency seizures 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, confirming or denying whether information is or is not held may aid criminality. 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. To confirm or deny information is held would potentially weaken the mechanisms used to investigate any type of criminal activity would have a detrimental impact on law enforcement as a whole. Therefore, at this moment in time, it is our opinion that the balance test favours against confirming or denying information is held.

No inference can be taken from this refusal that information does or does not exist.

Next steps

You can ask us to review our response.

If you would like us to carry out a review of our response, please let us know within two months of the date of receipt of this email, review requests should be addressed to:

foi@staffordshire.police.uk



STAFFORDSHIRE
POLICE

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information
Central Disclosure Unit