

Meeting	SPA Policing Performance Committee
Date	9 March 2021
Location	Video Conference
Title of Paper	Digital Triage Device (Cyber Kiosks) Evaluation
Presented By	ACC Patrick Campbell, Organised Crime, CT and Intel
Recommendation to Members	For Discussion
Appendix Attached:	Yes Appendix A - Cyber Kiosk Management Information

PURPOSE

The purpose of this Briefing Paper is to provide an update on Cyber Kiosks and a draft template of the document which is proposed to be produced to meet the commitment made by Police Scotland for the disclosure of specific Cybercrime Kiosk Management Information (MI) to the public and to detail information requested by the SPA Policing Performance Committee.

Members are invited to discuss the contents of this report.

1. BACKGROUND

- 1.1 The introduction of the use of Cyber Kiosks across Police Scotland was subject to significant scrutiny during which time a commitment was made for certain specific MI to be made available to the public after six months of the full roll out of kiosks. The roll out was completed in August 2020.

2. PUBLIC COMMITMENT

- 2.1 A commitment was made publicly that MI would be extracted from the Cybercrime Case Management System (CMS) on a monthly basis. The information will be drawn directly and automatically from the system and thereafter formulated to provide MI in an easy-to-read format and will report on:

- CRIME GROUP/TYPE
- REASON / PURPOSE OF EXAMINATION
- REGION / UNIT / DIVISION / KIOSK
- STATUS OF OWNER
- DEVICE TYPE
- POWER OF SEIZURE
- DECLINED FORMS

- 2.2 The Cybercrime CMS data will be extracted on the first of each month which will facilitate an accurate and consistent reporting period. Only this data set will be used to compile the information that will be contained within the Cybercrime Kiosk Public Commitment Information.

- 2.3 To provide Police Scotland and the respective Divisional Commanders and Divisional Kiosk SPOCs with information regarding kiosk activity, it is proposed that this data will be shared at the beginning of each month to report on the previous month's performance. This information will then only be released to the public at the start of the following month. The adoption of this policy will allow for Police Scotland, Divisional Commander and SPOCs to be sighted on the workload and allow time to analyse the performance of the respective Policing Divisions. Thereafter, if required, it will provide opportunity to take steps as necessary to address any matters identified and focus activities to mitigate any performance issues.

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- 2.3 To provide the public with absolute confidence that all the data being collated in respect of Cyber Kiosk is being presented, it is proposed that for each publication all the data fields will be included whether or not there is a corresponding value to be included. This ensures that each month the document format and content will only vary as a result of the Month / Year and the MI which has been drawn from the Cybercrime CMS.
- 2.4 It is proposed that a standard set of charts will be populated each month with the MI and only these charts will be used. This will again ensure consistency and uniformity of process and reduce the chance of erroneous data and therefore minimise the risk of challenge by interested parties.
- 2.5 The proposed template has been produced, as per attachment - Cybercrime Kiosk Public Commitment Management Information – DRAFT January 2021. The January 2021 MI statistics are produced within said attachment¹.
- 2.6 In addition to the aforementioned a commitment was also made in respect of sharing the external debrief report compiled by the Scottish Multi-Agency Resilience Training and Exercise Unit (SMARTEU). This report has been completed and is currently being reviewed by the Cyber Capabilities Programme Board at the conclusion of which it will be published.
- 2.7 The report was only received by Police Scotland in February 2021 due to the impact COVID had on ability of SMARTEU to obtain initial feedback from Stakeholders and thereafter the facilitation of the debrief meeting between Police Scotland and the relevant Stakeholders.
- 2.8 In addition to the aforementioned report, Police Scotland Portfolio Assurance Team are producing their Post Implementation Review. This will consider the anticipated benefits from the use of Kiosks in comparison to the output captured. This report is due to be published in May 2021 and has also been subject to COVID related delays which extended the timetable for the roll out of Kiosks and the resultant delay of production of this review however, this will ensure that when the review is published an

¹ Please note - figures contained within the supporting document have not yet been fully validated and are for information only.

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informed position in respect of the use of the Kiosks will be reflected.

Use of Kiosks

2.9 The following data has been extracted from the case management system as a means of demonstrating the use of Kiosks and the associated effect on Cyber Hub requests.

Completed Kiosk ERFs (marked on CMS as Examination Complete by a Cyber Kiosk Operator)

6-month period from 1st August 2020 to 31st January 2021		
Divisions	Kiosk ERFs Completed	Devices
C	61	97
E	98	187
J	46	117
P	40	65
SCD (E)	4	8
A	61	96
D	66	137
N	43	88
SCD (N)	8	25
G	127	221
K	61	139
L	46	92
Q	62	115
U	23	33
V	35	59
SCD (W)	6	43
TOTAL	787	1522

2019-2020 / 2020-2021 Digital Forensics ERF comparison

	Number of ERFs Approved by Gateway for Digital Forensics (Phone Cases)²	Number of Devices
1st August 2019 – 31st January 2020	2088	4421
1st August 2020 – 31st January 2021	1979	4353

¹ Cases identified as “Phone” during Gateway assessment process.

2.10 As can be seen from the first table, there have been 1522 devices examined across all 41 kiosks over the 6 month period. This equates to 253 devices per month and an average of 6.18 devices per kiosk per month.

2.11 The second table demonstrates a slight reduction in Cyber Hub ERF requests since the implementation of kiosks against the previous year. It should be noted that demand has increased exponentially over recent years, and as such, this reduction in real terms will be greater than suggested.

2.12 Due to the COVID pandemic, as with other areas of policing, this year has been like no other and as such it is difficult to truly realise or represent the full impact of the implementation of the kiosks. The Cybercrime Policy and Coordination Unit will continue to produce monthly figures as per the attachment for public awareness and to continue to monitor the use of kiosks and associated benefits.

2.13 Unfortunately we are unable to articulate the number of devices that have been returned to owners as a result of a kiosk examination as this is not recorded by cybercrime and is a decision for individual enquiry officers. All we can say is that there are 68 less devices examined at the hubs over each of the 6 month periods which is likely in part to be due to the introduction

of kiosks and that 1522 devices have been examined which has provided the opportunity for devices to be returned if deemed to have no evidence relative to the investigation.

ICO report

- 2.14 To date, Police Scotland are still awaiting the publication of the ICO Report for Scotland. The Cybercrime Capability Programme Team have reviewed the ICO Investigation Report for Mobile Phone Data Extraction for forces in England and Wales and have proactively addressed any issues which were highlighted in the report and had not already been considered by Police Scotland.

3. FINANCIAL IMPLICATIONS

- 3.1 There are considerations moving forward in respect of the evolution of Kiosks however these are dependent on increasing the capacity in respect of Kiosk use across the force and would be limited to the purchase of additional Kiosks and an associated training cost in respect of ensuring a sufficiency of trained operators to the number of Kiosks. At the current time there is no imminent intention to purchase additional Kiosks.
- 3.2 The current cost of a Cyber Kiosk is £9040.35 + VAT
The current cost of training a Cyber Kiosk operator is £380.00 + VAT

4. PERSONNEL IMPLICATIONS

- 4.1 As Kiosks continue to embed themselves across the force with associated benefits in respect of equity of access to assess the evidential value of mobile digital devices, the requirement for sufficiently trained Kiosk operators will continue to be assessed on an on-going basis.
- 4.2 At the time of implementation of the Kiosks the policy was implemented that Kiosk operators would be viewed as a Police Scotland Force resource, regardless of department or geographical location.
- 4.3 This has enabled, as far as possible, assurance that when a Kiosk operator is required to be identified there is robust procedures in place to quickly ascertain the availability of an officer in proximity

to the requirement subsequently ensuring that the examination can take place as timeously as possible.

5. LEGAL IMPLICATIONS

- 5.1 The legal basis for the use of Kiosks was subject of scrutiny during development of the project with extensive consultation on this matter with Police Scotland Legal Services, ICO, COPFS and the members of the External Reference Groups.
- 5.2 As a consequence of the aforementioned at the current time the governance in respect of the legal basis used for Kiosks remains unchanged however, is subject to continued review as new legislation within the UK is considered in conjunction with any recommendations in respect of the anticipated ICO report on the examination of mobile devices in Scotland.

6. REPUTATIONAL IMPLICATIONS

- 6.2 There are potential reputational implications associated with Police Scotland's use of Cyber Kiosks however the robust governance and oversight established at the inception of the roll out of Kiosks ensures that this risk is mitigated wherever possible.
- 6.3 The impending introduction of a new Case Management System for Digital Forensics, encompassing Kiosks, will ensure that the oversight of the use of Kiosks is maintained and further fortified which the increased capabilities of the new system will provide.

7. SOCIAL IMPLICATIONS

- 7.1 The steps which were taken by Police Scotland to pro-actively engage with Stakeholders through External Reference Groups and consultation during the project roll out have been positively commented on by Stakeholders resulting in the intention within Police Scotland to adopt this process to ensure that future technologies engage with relevant Stakeholders at the earliest opportunities to appropriately convey the intention and potential implications around the introduction of future technologies or increased capability in respect of Cyber Kiosks.

8. COMMUNITY IMPACT

8.1 It is anticipated that the publication of the Management Information in respect of the use of Kiosks will provide a reassurance for our communities that Kiosks are of continued and increasing benefit, whilst the governance commitment made during the consultation and engagement phase of the introduction of Kiosks is being adhered to by Police Scotland moving forward.

9. EQUALITIES IMPLICATIONS

9.1 There are no Equalities implications.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no Environment implications.

RECOMMENDATIONS

Members are invited to discuss the contents for this report

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Cyber Kiosk Management Information

DRAFT

Public Document

January 2021

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Introduction

Cyber Kiosks

Also known as a 'Digital Triage Device', a Cyber Kiosk is a desktop computer specifically designed to view data stored on a digital device in a targeted and focused way. Cyber Kiosks are operated by Kiosk Operators who are responsible for carrying out the 'triaging' of devices. Kiosk Operators can set parameters e.g. restricting searches to a date/time range, searching only text messages/photographs. If, after examination, no evidence is found, the device may be returned to the owner. There are 41 Cyber Kiosks located in Police Scotland buildings across Scotland.

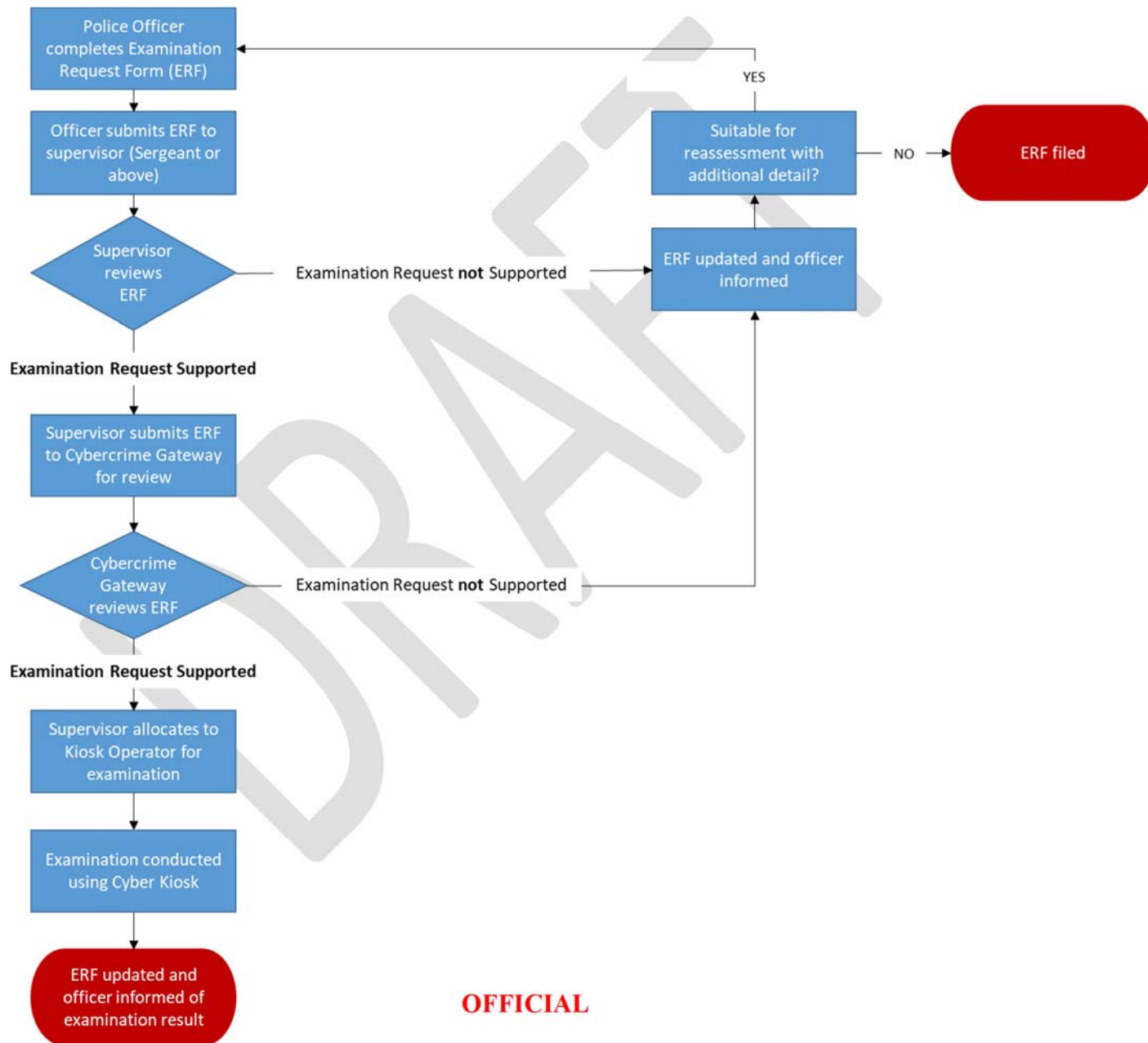
Cyber Kiosk Public Commitment

Police Scotland has made a public commitment to publish data relating to the use of Cyber Kiosks. This data is referred to as Management Information (MI) and is taken on a monthly basis from the Cybercrime Case Management System (CMS); a system used by Police Scotland to record all requests for digital device examination, document the required approval process and to record the number and type of devices examined. This information is recorded on an Examination Request Form (ERF).

The Cybercrime Case Management System (CMS) records information entered by the Investigating Officer at the time of initial submission. Management Information from the CMS is accurate at the time of retrieval however may not reflect any operational developments or administrative amendments which occur following submission, for example the status of a Subject changing as an enquiry develops.

The following flow diagram details the submission and approval process for all digital device examinations:

Examination Request Form (ERF) Process Map



Cyber Kiosk Management Information

Police Scotland undertake to each calendar month collate and present in a clear and precise manner the number of Kiosk examinations which have taken place. As an ERF can contain more than one device for examination, both the total number of ERFs and the number of devices examined will be presented. Information from the Cybercrime Case Management System (CMS) will be collated at the start of the calendar month and is accurate as of the specific time and date of retrieval.

In addition to the overall numbers, the following will also be reported on:

- Status of Owner – whether the device owner is a Complainer, Deceased, Missing Person, Not Officially Accused, Officially Accused or a Witness.
- Power of Seizure – the authority under which Police have taken possession of the device; Common Law, under Warrant, Statutory or Voluntary (consent).
- Reason for Device Examination – criminal investigation, death enquiry, instructed by Procurator Fiscal, missing person or National Security.
- Declined Forms – the number of examination requests declined by either Supervisory officer or the Cybercrime Gateway. Forms can be declined for many reasons, including the test of necessity and proportionality not having been met, but more commonly this is for administrative reasons such as the form containing insufficient detail or being incorrectly completed. In many cases amendments will be made and the form re-submitted.
- Region / Division / Kiosk – breakdown of kiosk location by territorial Division and region; East, North or West.
- Device Type – the type of device; phone, tablet or SIM card.
- Crime Group & Crime Type – Crime Group is the overarching crime category and the Crime Types are sub-categories of the Group. For example, 'Crimes of Dishonesty' is a Crime Group with the sub-categories – the Crime Types – including Theft, Fraud and Housebreaking.

For ease of reference, the Management Information has been laid out in six tables, grouped as follows:

Table 1 – Status of Owner / Power of Seizure – National Totals

Table 2 – Status of Owner / Reason for Device Examination – National Totals

Table 3 – Cyber Kiosk Examination Requests – East Region

Table 4 – Cyber Kiosk Examination Requests – North Region

Table 5 – Cyber Kiosk Examination Requests – West Region

Table 6 – Cyber Kiosk Examinations – Crime Group & Crime Type – National Totals

Table 1 - Status of Owner / Power of Seizure – National Totals – January 2021

Status of Owner		Power of Seizure									
		Common Law		Under Warrant		Statutory		Voluntary (Consent)		Missing Data	
		ERFs	Devices	ERFs	Devices	ERFs	Devices	ERFs	Devices	ERFs	Devices
	Complainer	1	1	0	0	0	0	6	6	0	0
	Deceased	52	63	0	0	0	0	1	1	0	0
	Missing Person	2	5	0	0	0	0	0	0	0	0
	Not Officially Accused	31	33	33	68	14	19	0	0	0	0
	Officially Accused	3	3	5	10	3	4	0	0	0	0
	Witness	3	6	3	4	0	0	3	4	0	0
	Unidentified	8	15	11	29	0	0	1	1	0	0

The above information is accurate as extracted from the Cybercrime Case Management Systems (CMS) on 1st February 2021 and may be subject to change due to operational or investigative developments.

Table 2 - Status of Owner / Reason for Device Examination – National Totals – January 2021

Reason for device examination													
Status of Owner		Criminal Investigation		Death Enquiry		Instructed by Procurator Fiscal		Missing Person		National Security		Missing Data	
		ERFs	Devices	ERFs	Devices	ERFs	Devices	ERFs	Devices	ERFs	Devices	ERFs	Devices
	Complainer	7	7	0	0	0	0	0	0	0	0	0	0
	Deceased	3	3	50	61	0	0	0	0	0	0	0	0
	Missing Person	0	0	0	0	0	0	2	5	0	0	0	0
	Not Officially Accused	70	111	3	3	1	1	1	1	0	0	3	4
	Officially Accused	11	17	0	0	0	0	0	0	0	0	0	0
	Witness	5	7	3	7	0	0	0	0	0	0	0	0
	Unidentified	15	37	5	8	0	0	0	0	0	0	0	0

The above information is accurate as extracted from the Cybercrime Case Management Systems (CMS) on 1st February 2021 and may be subject to change due to operational or investigative developments.

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Table 3 - Cyber Kiosk Examination Requests – East Region – January 2021

Division	Declined by Supervisor		Declined by Gateway		Kiosk Location ¹	Completed		Device Type - Completed Tasks			
	ERFs	Devices	ERFs	Devices		ERFs	Devices	Mobile Phones	Tablets	SIM Cards	Missing Data
C	1	3	10	13	Larbert	3	4	4	0	0	0
					Stirling	2	4	4	0	0	0
E	2	6	29	59	Gayfield	7	10	9	0	1	0
					Fettes	3	5	3	0	2	0
					Corstorphine	5	7	7	0	0	0
					St Leonards	1	1	1	0	0	0
J	2	9	10	19	Livingston	2	5	5	0	0	0
					Dalkeith	7	22	22	0	0	0
					Galashiels	0	0	0	0	0	0
P	1	1	24	35	Glenrothes	3	4	4	0	0	0
					Dunfermline	2	2	2	0	0	0
SCD (E) ²	0	0	0	0		0	0	0	0	0	0
					No Data	5	9	8	0	1	0

The above information is accurate as extracted from the Cybercrime Case Management Systems (CMS) on 1st February 2021 and may be subject to change due to operational or investigative developments.

¹ The Cyber Kiosk locations displayed are correct for this Reporting Period.

² Specialist Crime Division (SCD) do not have dedicated Kiosks and therefore utilise Cyber Kiosks based within territorial Divisions as required.

Table 4 - Cyber Kiosk Examination Requests – North Region – January 2021

Division	Declined by Supervisor		Declined by Gateway		Kiosk Location ³	Completed		Device Type - Completed Tasks			
	ERFs	Devices	ERFs	Devices		ERFs	Devices	Mobile Phones	Tablets	SIM Cards	Missing Data
A	2	6	28	44	Kittybrewster	1	1	1	0	0	0
					Queen Street	5	7	7	0	0	0
					Elgin	2	2	2	0	0	0
					Fraserburgh	3	5	4	1	0	0
					Bucksburn	0	0	0	0	0	0
D	4	5	21	37	Dundee HQ	14	36	33	2	1	0
					Dundee Downfield	1	4	2	2	0	0
					Perth	4	5	5	0	0	0
					Arbroath	0	0	0	0	0	0
N	3	6	4	13	Fort William	1	1	1	0	0	0
					Inverness	4	8	8	0	0	0
					Alness	2	2	2	0	0	0
					Wick	0	0	0	0	0	0
SCD (N) ⁴	0	0	1	1		0	0	0	0	0	0
					No Data	6	12	12	0	0	0

The above information is accurate as extracted from the Cybercrime Case Management Systems (CMS) on 1st February 2021 and may be subject to change due to operational or investigative developments.

³ The Cyber Kiosk locations displayed are correct for this Reporting Period.

⁴ Specialist Crime Division (SCD) do not have dedicated Kiosks and therefore utilise Cyber Kiosks based within territorial Divisions as required.

Table 5 – Cyber Kiosk Examination Requests – West Region – January 2021

Division	Declined by Supervisor		Declined by Gateway		Kiosk Location ⁵	Completed		Device Type – Completed Tasks			
	ERFs	Devices	ERFs	Devices		ERFs	Devices	Mobile Phones	Tablets	SIM Cards	Missing Data
G	3	9	31	52	Glasgow – Shettleston	5	12	11	0	1	0
					Glasgow Stewart St.	6	8	8	0	0	0
					Glasgow Helen St.	16	24	23	1	0	0
K	3	3	14	21	Paisley	7	10	9	1	0	0
					Greenock	3	6	5	1	0	0
L	1	1	14	20	Dumbarton	2	5	5	0	0	0
					Clydebank	3	4	4	0	0	0
Q	2	2	21	33	East Kilbride	3	3	3	0	0	0
					Motherwell	3	3	3	0	0	0
					Hamilton	7	8	8	0	0	0
					Coatbridge	1	1	1	0	0	0
U	0	0	11	12	Ayr	1	1	1	0	0	0
					Kilmarnock	7	11	11	0	0	0
					Saltcoats	0	0	0	0	0	0
V	2	2	10	11	Dumfries	6	9	8	0	1	0
					Stranraer	2	5	5	0	0	0
SCD (W) ⁶	1	2	0	0	No Data	0	0	0	0	0	0
					No Data	4	6	5	1	0	0

The above information is accurate as extracted from the Cybercrime Case Management Systems (CMS) on 1st February 2021 and may be subject to change due to operational or investigative developments.

⁵ The Cyber Kiosk locations displayed are correct for this Reporting Period.

⁶ Specialist Crime Division (SCD) do not have dedicated Kiosks and therefore utilise Cyber Kiosks based within territorial Divisions as required.

Table 6 - Cyber Kiosk Examinations – Crime Group & Crime Type – National Totals – January 2021

Crime Group	ERFs	Devices	Crime Type	ERFs	Devices
GROUP 1: NON SEXUAL CRIMES OF VIOLENCE	14	22	Murder	0	0
			Attempted Murder	3	6
			Culpable Homicide	1	1
			Serious Assault	4	5
			Robbery	3	3
			Threats and Extortion	0	0
			Miscellaneous	3	7
GROUP 2: SEXUAL CRIMES	17	21	Rape	12	15
			Attempted Rape	1	1
			Sexual assault	0	0
			Public Indecency	0	0
			Voyeurism	0	0
			Brothel Keeping / Prostitution	0	0
			Indecent Images of Children (IIOC)	0	0
			Extreme Pornography	0	0
			Grooming of Children	0	0
			Sextortion	0	0
			Communication Offences	4	5
GROUP 3: CRIMES OF DISHONESTY	7	8	Housebreaking / Opening Lockfast Places	4	5
			Theft	3	3
			Fraud	0	0

The above information is accurate as extracted from the Cybercrime Case Management Systems (CMS) on 1st February 2021 and may be subject to change due to operational or investigative developments.

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Cyber Kiosk Examinations – Crime Group & Crime Type – National Totals – January 2021 (cont.)

Crime Group	ERFs	Devices	Crime Type	ERFs	Devices
GROUP 4: FIRE-RAISING, MALICIOUS MISCHIEF etc.	3	3	Fireraising	1	1
			Vandalism	0	0
			Computer Misuse Act	2	2
			Culpable and reckless conduct	0	0
GROUP 5: OTHER (PRO-ACTIVITY) CRIMES	63	140	Human Trafficking	0	0
			Offensive Weapons	0	0
			Drug Supply	58	133
			Serious & Organised Crime	5	7
GROUP 6: MISCELLANEOUS OFFENCES	10	14	Bail / Licence / SOPO Offences	3	7
			Assault	1	1
			Breach of the Peace	1	1
			Threatening & Abusive Behaviour	3	3
			Stalking	2	2
			Hate Crime	0	0
			Wildlife offences	0	0
GROUP 7: OFFENCES RELATING TO MOTOR VEHICLES	3	4	Fatal RTC	3	4
			Road Traffic	0	0
GROUP 8: AREAS OUTWITH THE CONTROL STRATEGY	42	60	National Security	1	2
			Missing Persons	2	5
			Death - Unexplained	1	3
			Death - Suspected Drugs	38	50
			Fatal Accident	0	0
			Anti Corruption	0	0

The above information is accurate as extracted from the Cybercrime Case Management Systems (CMS) on 1st February 2021 and may be subject to change due to operational or investigative developments

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Police Scotland remain committed to ensuring that Cyber Kiosks are used legally and proportionately to support victims and witnesses of crime and to bring offenders to justice. All examination requests are subject to a robust two-stage assessment and approval process, with an initial assessment made by an officer of at least the rank of Sergeant and the second by specialist officers and staff within the Cybercrime business area. Each assessment considers the legality, necessity, proportionality and justification of the examination request, and examination cannot proceed until the request has been approved at both stages.

The integration of Cyber Kiosks into Police Scotland presented unique opportunities to engage with stakeholders in critical partner agencies including the Crown Office and Procurator Fiscals Service (COPFS), Scottish Institute for Police Research (SIPR), Privacy International, Scottish Human Rights, Information Commissioners Office (ICO) and victim and witness advocacy groups and organisations who represent some of the most vulnerable members of our communities.

The creation of the Cyber Kiosk Stakeholders Group and the Cyber Kiosk External Reference Group allowed Police Scotland to gain a comprehensive understanding of the key concerns which existed in relation to the use of Cyber Kiosks and to develop revised processes in partnership with members. The lessons learned during public engagement events enhanced a number of existing processes, including how and when informed consent for digital examination is requested and recorded from victims and witnesses of crime, and detailed information regarding this is now published on the Police Scotland website.

Police Scotland will continue to publish this information on a monthly basis.