# Reference: 2025-061

Thank you for your email in which you requested the following information under the Freedom of Information Act 2000 (FOIA):

Background/definition: Open Source Intelligence (OSINT) is defined as the use of publicly available or licensable data to produce actionable intelligence. It may also be known as 'digital investigations' or 'internet intelligence'. Where we say 'investigators' we mean roles that may also be known as 'case workers' or 'analysts'.

Questions:

- 1. What was the total estimated value and number of cases of fraud reported to your organisation:
  - a. In 2024
  - b. In 2025 so far
- 2. What proportion of these cases were investigated or disseminated for further investigation?
  - a. In 2024
  - b. In 2025 so far
- 3. What was the reason for cases that remained uninvestigated?
- 4. What was the total value of funds reclaimed from fraud investigations:
  - a. In 2024
  - b. In 2025 so far
- 5. How many people in your organisation (or what percentage of investigators) are currently conducting counter-fraud investigations?
- 6. How many people in your organisation (or what percentage of investigators) are using Open Source Intelligence (OSINT) to conduct counter-fraud investigations?
- 7. In what percentage of counter-fraud investigations did OSINT play a role in the last year?
- 8. Do teams using OSINT use Google or other public search engines as a primary source for intelligence gathering?
- 9. In what percentage of counter-fraud investigations was publicly available social media data used:
  - a. In 2024
  - b. In 2025 so far
- 10. Does your organisation use any software or platforms for OSINT/ digital/ internet investigations? If so, which ones?
- 11. How many people are OSINT-trained in your organisation? How many of these have access to specialist OSINT tools?
- 12. What is the average wait for teams to access specialist OSINT skills for investigations? I.e. waiting one day, week, month, etc.
- 13. What is your current budget for OSINT tools?
- 14. Has it changed in the past 12 months? Do you have plans to increase it in the next 12 months?

# <u>Response</u>

Please see below our response to your questions in the order asked.

### **Question 1**

The SFO does not hold information about the 'total estimated value' of cases in the format requested.

# Question 1a

The SFO received approximately 893 fraud referrals from 01/01/2024 to 31/12/2024.

### **Question 1b**

The SFO received approximately 373 fraud referrals from 01/01/2025 to 20/05/2025.

### Question 2 a, b

We confirm that we hold this information. However, this is exempt from release under section 31(1) of the FOIA.

#### Section 31(1)(a), (b), and (c) provides that:

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,
- (b) the apprehension or prosecution of offenders,
- (c) the administration of justice:

### How the exemption is engaged

As a law enforcement agency, the Serious Fraud Office (SFO) holds highly sensitive information which is of interest to others, including those we investigate. Releasing detailed information about our cases could therefore undermine our investigative functions, compromise our ability to protect SFO investigative material and information systems, thereby prejudicing the interests at (a), (b), and (c) above.

#### Public interest test

Sections 31(a), (b), and (c) are qualified exemptions and require consideration of whether, in all the circumstances of the case, the public interest in exempting this data outweighs the public interest in disclosing it. More information about exemptions in general and the public interest test is available on the ICO's website at <u>www.ico.org.uk</u>.

It is recognised that there is a general public interest in publicising information about the SFO, so that the public knows that serious fraud, bribery, and corruption are being investigated and prosecuted effectively, and so that the public can be reassured about the general conduct of our organisation and how public money is spent.

However, having considered the public interest in releasing this information, we consider that the stronger interest lies in maintaining these exemptions of the FOIA. Primarily, the risk that this information could pose to the SFO's investigative functions against which it is essential to safeguard given the highly sensitive nature of the information held as a law enforcement agency. Releasing sensitive information about the cases we investigate risk compromising the SFO's ability to provide and maintain data security for the cases at pre-investigation, investigation, prosecution stages and beyond.

Having considered the opposing arguments, I believe that the stronger public interest lies in exempting the information from release.

# **Question 3**

The SFO is a relatively small, highly specialised government department that is permitted by law to investigate only the most serious and complex cases of fraud and bribery affecting the UK. In order to do this in a targeted and measured way, we apply our resources to cases in which there is sufficient evidence to reasonably suspect that offences within this narrow remit have taken place. More information on our remit can be found <u>here</u>.

### Question 4 a, b

The SFO does not hold this information. This is because the SFO seek Confiscation Orders against individuals (defendants) who have been successfully prosecuted. HMCTS grant the Confiscation Orders which includes an amount that they must pay. The Defendants satisfy those Orders by making payment direct to HMCTS. The SFO therefore do not reclaim funds from fraud investigations.

### Question 5, 6, 7, 8, 9

We hold some of this information. However, this is exempt from release under sections 30(1)(b)(c) and 31(1) of the FOIA.

### Section 30 (1)(b)(c) provides that:

(1) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—

(b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or

(c) any criminal proceedings which the authority has power to conduct.

#### Section 31(1) provides that:

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,
- (b) the apprehension or prosecution of offenders,
- (c) the administration of justice.

#### How the exemptions are engaged

Section 30 permits the exemption of information from release when the disclosure of the requested information may impact criminal court proceedings which the authority may be conducting. As the material about the individuals in this case may need to be produced in court proceedings, releasing this information is likely to impact criminal proceedings and therefore exempt from disclosure under section 30.

Section 31 permits the exemption of information from release when the "disclosure of [it] would, or would be likely to, prejudice certain specified law enforcement matters". This exemption is engaged in this response because of the prejudice or likely prejudice caused by the cumulative effect of disclosing information in response to a series of requests of a similar nature (the 'precedent effect').

#### Public interest test

Section 30 and 31 are qualified exemptions and require consideration of the public interest in order for the exemption to be maintained. More information about exemptions, the precedent effect, and the public interest test is available on the ICO's website at <a href="https://ico.org.uk/">https://ico.org.uk/</a>.

We acknowledge that there is public interest in understanding the general process the SFO uses to investigate fraud, the resourcing of our work, and how public money is spent. The SFO already takes steps to meet this interest by publishing our Annual Report and Accounts.

However, having considered the public interest in releasing this information, we consider that the stronger interest lies in maintaining these exemptions of the FOIA. Primarily, the risk that this information could pose to the SFO's investigative systems against which it is essential to safeguard given the highly sensitive nature of the information held as a law enforcement agency. Releasing sensitive information in relation to how we utilise 'Open Source Intelligence' systems risk compromising the SFO's ability to provide and maintain data security for the cases at pre-investigation, investigation, prosecution stages and beyond.

Having considered the opposing arguments, I believe that the stronger public interest lies in exempting the information from release.

### **Question 10**

Some information responsive to your question is available on Contracts Finder, which can be accessed here: <u>Contracts Finder - GOV.UK</u>. Further detail is exempt by virtue of section 43 of the FOIA.

Section 43(2) of the FOIA deals with commercial interests and provides that: Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

#### How the exemption is engaged

Some of the requested information could detriment to the SFO's commercial interests if released by weakening its negotiating position with future suppliers. It could also detriment the commercial interests of the supplier when engaging future clients. As such, this information is exempt from release under section 43(2) of the FOIA.

#### Public interest test

Section 43 of FOIA is a qualified exemption. As such, it requires consideration of whether the public interest in exempting the information outweighs the public interest in disclosing whether the public authority holds the information. More information about exemptions in general and the public interest test is available on the ICO's website at <a href="http://www.ico.org.uk">www.ico.org.uk</a>.

We understand the importance of publicising information about the SFO's use of public resources and funding. However, we do not believe that the release of those information which we hold would add significantly to these factors and therefore feel there is minimal public interest in releasing this material. Further, as outlined above, the SFO is compliant with the reporting requirements across government, which requires the publication of data surrounding procurement processes on the Contracts Finder website: <u>Contracts Finder - GOV.UK</u>.

We have therefore concluded that the balance of the public interest is in favour of not disclosing the information requested as the commercial interests weigh in favour of not sharing this detail externally.

# Questions 11, 12, 13, and 14

The SFO does not hold this information in the format requested.