



16<sup>th</sup> March 2020

## **Freedom of Information Request Reference N°: FOI 000273/20**

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 20<sup>th</sup> January 2020 in which you sought access to the following information:

I am writing to you under the freedom of information Act 2000 with a request to gain some information regarding the digital forensic unit we would like to know how much was spent on the digital forensic unit and as detailed breakdown as possible of the costs of training officers in the different fields of this unit in 2019 please could you provide the information via email.

### **Response to your Request**

The response provided below is correct as of 30<sup>th</sup> January 2020.

Norfolk and Suffolk Constabularies have considered your request and our response is below:

The total departmental cost for the Joint Digital Forensics Unit, between January and December 2019 is £639,467.12

There are additional training costs of £25,285.02.

With regard to the breakdown of training undertaken, this has not been provided due to exemptions within the Act.

Section 17 of the Freedom of Information Act 2000 requires that Suffolk and Norfolk Constabularies, when refusing to provide such information (because the information is exempt) is to provide you, 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(s) applies.

The information is exempt from disclosure by virtue of the following exemption;

### **Section 31(1)(a)(b) – Law Enforcement**

Section 31 is a qualified and prejudice-based exemption and I am therefore obliged to consider the harm in providing the information and conduct a public interest test.

### **Harm and Public Interest Test – Section 31**

Modern day policing is intelligence led and law enforcement depends upon the development of intelligence, and the gathering and security of evidence, in order to disrupt criminal behaviour and bring offenders to justice. As criminals adapt and exploit new technology, the police need to respond by overcoming hi-tech barriers in order to meet their responsibilities.

Revealing this information would give perpetrators the opportunity to explore police forensic training, and training delivery organisations, in order to find out how the police look for and extract forensic information, giving criminals the ability to use countermeasures in order to avoid detection. This would undermine the process of preventing or detecting crime and the apprehension of prosecution of offenders.

In addition, anything that places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service.

### Public Interest Test

#### Factors favouring Disclosure

Provision of the information would allow a greater understanding of where public funds are being allocated. For the Police Service to be fully transparent and open, it is appreciated that there is a public interest in providing information that infers where public money may be spent.

Providing information relevant to this request, would lead to a better-informed public encouraging openness and transparency, a fundamental principle of the Act.

Disclosure of the information would raise the general public's awareness that the police are effectively training cyber forensic investigators and appropriately investigating and extracting digital information from various devices and systems, enhancing the Constabularies ability to deliver effective operational law enforcement.

#### Factors favouring Non-Disclosure

The current and future law enforcement role of the force may be compromised by the release of this information having a negative impact on the effectiveness of the force. In this case, for the reasons outlined in the evidenced harm, the effectiveness of current and future strategies when carrying out investigations and gathering evidence may be compromised.

The personal safety of individuals and the general public is of paramount importance to the Police Service and must be considered in response of every release. A disclosure under Freedom of Information is a release to the world and, in this case, disclosing tactical information relating to the extraction of data from digital devices would undermine the evidence gathering process of any investigative inquiry relating to offences, some of which may be serious cases such as murder or rape.

Policing resources and the police capability would be negatively affected, and manipulated by those with criminal intent, to obtain an advantage over any potential police tactics and capabilities. In a world where cybercrime is ever increasing it is of paramount importance to protect such sensitive information.

### Balancing Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Whilst there is a public interest in the transparency in how the Police Service delivers effective law enforcement, this must be balanced against the negative impact these disclosures can make.

Law Enforcement is reliant on community engagement, intelligence and evidence gathering and when it is appropriate, information is given to the public. What has been established in this case is the fact that disclosure of information relating to technologies used when extracting data would have an adverse effect on the investigative process and on the prevention or detection of crime and the apprehension or prosecution of offenders. This places the victims of such offending at a

greater risk towards their health and wellbeing and is not an action the Police Service would be willing to take.

These negatives outweigh any tangible community benefit and therefore the balance does not favour disclosure at this time.

This response will be published on the Constabularies web-site under the Freedom of Information pages:-

<https://www.norfolk.police.uk/about-us/our-data/disclosure-log>

<https://www.suffolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;

<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the  
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 40 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker  
Information Management Department  
Norfolk Constabulary  
Operations and Communications Centre  
Jubilee House  
Falconers Chase  
Wymondham  
Norfolk NR18 0WW  
OR  
Email: [freedomofinformation@norfolk.pnn.police.uk](mailto:freedomofinformation@norfolk.pnn.police.uk)*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at [www.ico.org.uk](http://www.ico.org.uk) or contact them at the address shown below:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 01625 545 700