

OFFICIAL



Heddlu Police

**DYFED-POWYS**

**FOI Reference: 536/2020**

**Request:**

1. How does your police force currently access and manage its data and applications?
  - On premises
  - In a public cloud
  - In a private cloud
  - Hybrid cloud model
  - Other, please state:
  
2. What approximate percentage of your data and applications are currently 'in the cloud'?
  - Zero
  - 1-25%
  - 26-50%
  - 51-75%
  - 76-99%
  - All of our applications and data are hosted in the cloud
  
3. Is your police force considering investing in cloud infrastructure and technologies - such as software, platform or infrastructure as a service (SaaS, PaaS or IaaS) - in the next 12 months?
  - Yes
  - No
  - Don't know
  
4. Is your IT department outsourcing or downsizing its physical IT infrastructure, e.g. on premise servers and physical hardware, in favour of a cloud model?
  - Yes – we have already done so
  - Yes – we are planning to do so in the next 12 months
  - Yes – we are in the process of doing so
  - No – we do not plan to do this
  
5. Are all of your police officers that work with IT / computers able to access data files and applications when working remotely / out in the field?
  - Yes
  - No

- Don't know

6. How much has your police force spent on outsourcing IT in the last five years? This refers to budget spent on devices used by third parties/contractors/outsourced employees as well as outsourcing itself

□

Year	Total amount spent on outsourcing IT, incl. outsourcing IT services and procuring devices for third parties	Specific amount spent <i>only</i> on procuring devices for third parties/contractors/outsourced employees
2019		
2018		
2017		
2016		
2015		

7. Does your police force report back on information technology use related greenhouse gas emissions?

- Yes – and we have specific targets to meet
- Yes – but we don't have specific targets to meet
- No
- Don't know

**If your police force does have 2020 targets on information technology use related greenhouse gas emissions, please answer:**

8. Are you on track to meet your 2020 targets for information technology use related greenhouse gas emissions?

- Yes – we're on track to exceed that target
- Yes – we're on track to meet that target
- No
- Don't know

**Response 1:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

- Mainly on premises with a small number of applications in a mix of private and public cloud.

**Response 2:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

- 1-25%

**Response 3:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

- No

**Response 4:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

- No

**Response 5:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

- Yes

**Response 6:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

Year	Total amount spent on outsourcing IT, <i>incl. outsourcing IT services and procuring devices for third parties</i>	Specific amount spent <i>only</i> on procuring devices for third parties/contractors/outsourced employees
2019	£0	N/A
2018	£0	N/A
2017	£0	N/A
2016	£0	N/A
2015	£0	N/A

**Response 7:**

I can confirm that Dyfed-Powys Police does hold the information requested, the details of which are as follows:

- No

**Response 8:**

I can confirm that there is no information held/recorded as Dyfed Powys Police does not track information technology use related greenhouse gas emissions'

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In addition to the above, Dyfed Powys Police can neither confirm nor deny that it holds any other information with regard to an exempt body as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

- **Section 23(5) Information Supplied by, or concerning, certain Security Bodies**
- **Section 24(2) National Security**

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case. Confirming or denying the existence of whether any other information is held would contravene the constrictions laid out within Section 23 of the Freedom of Information Act 2000 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

Section 24 is a qualified exemption and as such there is a requirement to articulate the harm and conduct a test of the public interest in confirmation or denial.

#### **Harm in confirming information is held:**

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. In this case the information relates to the extraction of data from certain devices, albeit victim or offender. By revealing whether information is held in relation to the specific technology, will in itself be revealing tactical information which would undermine the process of preventing or detecting crime and the apprehension of prosecution of offenders.

#### **Factors favouring confirming or denial – s31**

Confirming or denying that Dyfed Powys Police force holds information would raise the general public's awareness around techniques used to extract information from certain devices and show responsibility to delivery of effective operational law enforcement.

#### **Factors against confirming or denying – s31**

By confirming or denying whether information is held could compromise Dyfed Powys Police forces law enforcement capabilities and the effectiveness of the force will be reduced. To confirm or deny if information is held could undermine current and/or future strategies when carrying out investigations and gathering evidence may be compromised.

The personal safety of individuals 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, confirming or denying if the information is held in relation to gathering evidence from certain 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.

#### **Factors favouring confirming or denial – s24**

Confirming or denying that any other information exists relevant to the request would lead to a better informed public and the public are entitled to know how public funds are spent. The information simply relates to national security and disclosure would not actually harm it.

#### **Factors against confirming or denial - S24**

To confirm or deny whether Dyfed Powys Police force hold any information would allow inferences to be made about the nature and extent of national security related activities which

may or may not take place. This could enable terrorist groups to take steps to avoid detection, and as such, confirmation or denial would be damaging to national security.

By confirming or denying any policing arrangements of this nature would render national security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infra-structure on the UK and increase the risk of harm to the public.

### **Balancing Test**

As always the Freedom of Information Act has a presumption of disclosure, unless when balancing the competing public interest factors the prejudice to the community outweighs the benefits. In this case, there is an argument for confirming or denying, inasmuch as the public have a right to know that every effort is made to gather all relevant evidence, including extracting data from certain devices, but 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 confirming or denying that information relating to technologies used when extracting data would be harmful and have an adverse effect on the investigative process and on the public 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.

None of the above can be viewed as an inference that the information you seek does or does not exist.

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**It should be noted that owing to the systems adopted by Dyfed-Powys Police in relation to the recording of such matters the information provided may or may not be accurate.**

(This is a response under the Freedom of Information Act 2000 and disclosed on 12/10/20)