



Heddlu Police

DYFED-POWYS

FOI Reference: 278/2017

Request:

I am making a freedom of information request under the FOI Act 2000.

Please provide a copy of the four most recent "Dyfed-Powys Police fraud profiles", sent to Dyfed-Powys Police from the National Fraud Intelligence Bureau.

Response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon, Section 17 of Freedom of Information Act requires that we provide the applicant with a notice which:

- a) States that fact
- b) Specifies the exemption(s) in question and
- c) State (if that would not otherwise be apparent) why the exemption applies

I can confirm that Dyfed Powys Police does hold some of the information that you have requested i.e. Fraud Profiles for the following time periods (last 3 profiles) – see attached:

01/04/2016 to 30/09/2016

01/10/2015 to 31/03/2016

01/04/2015 to 30/09/2015

However, we are withholding some of that information since we consider that the following exemptions apply to it:

Section 23(1) Information supplied by, or concerning, certain Security Bodies

Section 31(1)(a)(b) Law Enforcement

Section 23

- (1) *Information held by a public body authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).*

Section 23 is an absolute class-based exemption, therefore there is no requirement to consider the harm or carry out a public interest test.

Section 31

- (1) *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

Section 31 is a prejudice-based, qualified exemption and as such there is a requirement to provide details of the harm as well as the public interest test, which is outlined below:

Evidence of Harm

Fraud profiles are documents created centrally by the National Fraud Intelligence Bureau (NFIB) and sent to each force regarding fraud local and national fraud trends. The documents themselves provide intelligence and current thinking around current fraud, who may be committing the acts and any future possible threats. The disclosure of this information by individual forces and nationally will undermine the police service's ability to detect and disrupt fraud which affects many people within our society each year. The value of money lost to fraud by businesses and individuals is in the millions each year and any disclosure which undermines the police's ability to deal with these crimes is not in the public interest to disclose. To identify intelligence, or lack of, would be of use to those committing particular types of fraud and could undermine police investigations and encourage others to attempt certain types of fraud.

Factors Favouring Disclosure:

The disclosure of the exempt material would provide details of the level of knowledge that the police service has about specific types of fraud. The public would be better aware of potential threats and may be able to take appropriate steps to avoid becoming a victim of fraud. Knowing the level of detail the police service has regarding particular frauds will ensure that the public are more conscious of certain types of fraud if there are less safeguarding measures to prevent that type of fraud. This will ensure that victim numbers are reduced.

Factors Against Disclosure:

Disclosure of the exempt information would undermine the law enforcement tactics by providing details of intelligence in specific fraud areas. The information will provide an indication of the police services' understanding of fraud and who may be committing it. The information, whether correct or not, would provide information into the public domain which could be exploited by those intent on committing fraud. This would have a direct impact on policing operations combatting particular frauds and, if undermined, would increase the number of victims. Criminals could use the information to avoid detection by changing their methods which would reduce the likelihood of victims recuperating losses.

Balance Test

The exempt information relates to the intelligence picture of fraud across the country in specific types of fraud. Although there is a public interest in making details of fraud public so that members of public and businesses can protect themselves, the disclosure of intelligence which relates to an on-going investigation or is not correct may lead to offenders to adapt their methods in order to avoid detection. The disclosure of any information which undermines policing operations is not in the public interest as victims would like to see the offenders brought to justice and any losses provided back to them. The disclosure of the requested material would have an impact and could in fact lead to further victims. Details of frauds are generally made public; the NFIB website provides details of current threats to individuals and businesses. The exempt material provides operational details or levels of intelligence which can be exploited by criminals to their advantage. It is our opinion that the public interest does not outweigh the use of exemptions for the redacted information. There is considerable material in the public domain about fraud that satisfies the public interest in knowing information in order to safeguard themselves. This further information would impact local and national policing and because of this the public interest in disclosure is not made out.