



Ministry of Defence Police

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[REDACTED]
By email – [REDACTED]

Our Ref: eCase: FOI2015/06648 RFI:153/15
Date: 21st August 2015

Dear [REDACTED],

FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: NUMBER OF REQUESTS TO OBTAIN COMMUNICATIONS DATA UNDER RIPa IN THE LAST FIVE YEARS.

I refer to your email dated 23rd July 2015 which was acknowledged on the 24th July 2015. We are treating your email as a request for information in accordance with the Freedom of Information Act 2000 (FOIA 2000).

In your email of the 23rd July 2015 you requested the following information:

“I would like to request information about the use by your force of the Regulation of Investigatory Powers Act 2000.

The time frame for my request is the last five years.

1) Please provide a figure for the total number of requests made by your force to obtain communications data under the Regulation of Investigatory Powers Act 2000 for each of the last five years. Please break the figure down by calendar year and the category of investigation for which the communication data was sought.

2) Please provide a figure for the total number of requests made and authorized by your force to obtain communications data under the Regulation of Investigatory Powers Act 2000 for each of the last five years. Please break the figure down by calendar the category of investigation for which the communication data was sought”.

A search for information has now been completed and I can confirm that information is held by the Ministry of Defence Police of the description specified in your request.

Please see table below in regards to total number of requests made (1) and total number made and authorised (2)

YEAR	Total Applications Made	Total Applications made and Authorised
2011	85	57
2012	88	74
2013	51	43
2014	41	29
2015 (to date)	25	21

The Freedom of Information Act places two responsibilities on public authorities, the first of which is to confirm what information it holds and secondly to then disclose that information, unless exemptions apply.

Data for the 'category of investigation for which the communication data was sought' is exempt by virtue of the following exemptions:

Section 24(1) - National Security
Section 31 (1) (a) (b) - Law Enforcement

Sections 24, and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm that would be caused in release of the information as well as carrying out a public interest test.

I have completed a Public interest Test and concluded that the release of the 'category of investigation for which the communication data was sought' would be prejudicial to MOD and MDP.

Section 31 (Law Enforcement) applies because disclosure of the information requested could identify intelligence required for the investigation of a crime would hinder the prevention and detection of crime and consequently, the force's law enforcement capabilities would be affected and individuals placed at risk.

Section 24 (National Security) applies because providing information on security measures would make them less effective. This could lead to the compromise of ongoing or future operations to protect the security or infra-structure of the UK and increase the risk of harm to the public.

If you are not satisfied with this response or wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, London SW1A 2HB (email CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate the case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website (<http://www.ico.org.uk>).

Yours sincerely

MDP Sec Data Protection and Freedom of Information Office