



## Ministry of Defence Police

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Our Ref: eCase: 07119-15 RFI: 168-15

Date: 10<sup>th</sup> September 2015

Dear [REDACTED]

**FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: INFORMATION AND DETAILS TO VARIOUS QUESTIONS REGARDING SUSPECTS CLASSED AS WANTED BY YOUR FORCE ON THE POLICE NATIONAL COMPUTER.**

I refer to your e-mail request of 12<sup>th</sup> August 2015 which was acknowledged on the 13<sup>th</sup> August 2015. We will deal with your e-mail as a request for information in accordance with the Freedom of Information Act 2000.

In your email dated 12<sup>th</sup> August 2015 you requested:

**“I would like to request, under the Freedom of Information Act 2000, information about suspects classed as ‘wanted’ by your force.  
I would be grateful if the following information could be provided to me:**

- 1) How many suspects are classed by your force as ‘wanted’ on the Police National Computer?**
- 2) For each of the ten suspects classed as ‘wanted’ for the longest amount of time, please provide:**
  - a) Their name**
  - b) Their photograph**
  - c) The offence(s) they are wanted for**
  - d) The calendar year the offence(s) they are wanted for took place**
  - e) Their age”**

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

I am withholding the names of each of the suspects under section 40(2) of the Freedom of Information Act 2000 (FOIA).

Section 40(2) applies to third party personal data and is exempt from disclosure under the FOIA if disclosure would breach any of the data principles contained within the Data Protection Act 1998 (DPA98).

Personal data is defined under Section 1(1)(e) of the DPA98 as “data which relate to a living individual who can be identified – (a) from those data.

**1) How many suspects are classed by your force as ‘wanted’ on the Police National Computer?**

As of the 2<sup>nd</sup> September 2015 the Ministry of Defence Police have five (5) individuals who are classed as ‘wanted’ on the Police National Computer (PNC). Please note that this information is only as accurate for the day on which the search took place.

**2) For each of the ten suspects classed as ‘wanted’ for the longest amount of time, please provide:**

- a) Their name**
- b) Their photograph**
- c) The offence(s) they are wanted for**
- d) The calendar year the offence(s) they are wanted for took place**
- e) Their age”**

Please see table attached at Annex A.

The Ministry of Defence Police do not hold photographs of the individuals. These are held with the local or relevant Home Department Police Force or Police Scotland within the custody record.

Additionally please see the below statement from the ICO with regard the press comments made at the time of the West Midlands Police request:

“Any request for information under the Freedom of Information Act should be assessed on a case by case basis in order to determine which, if any, exemptions may apply to the information. When a requester asks for information which includes someone else's personal data, consideration needs to also be given to the data subject's rights to privacy and whether the disclosure would be fair and comply with the data protection principles. Our press team's response was a generic line in cases where data protection is given as a reason for non-disclosure in some circumstances although it may have been more widely interpreted as our position on this particular case or be applicable to other requests of this nature. It is clearly up to the Public Authority to make the determination in terms of responding to requests and if requesters are dissatisfied with the response they can request an internal review by the Force and ultimately request an assessment by our office. The ICO would not seek to provide an assessment of specific responses to FOIA requests without the full facts, without engagement with the relevant Public Authority or indeed allowing the request to go through that process before consideration by our office.

Our press team's response was generic and should not be viewed as specific ICO guidance on how to deal with these requests or indicative of the approach the ICO will take when considering any complaints.”

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, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, London SW1A 2HB (email [CIO-FOI-IR@mod.uk](mailto: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**

## Annex A

Number	a) Their name	b) Their photograph	c) The offence(s) they are wanted for	d) The calendar year the offence(s) they are wanted for took place	e) Their age (as at 2 <sup>nd</sup> September 2015)
1	Withheld under Section 40(2)	Information not held	Road Traffic Offences	2003	54
2	Withheld under Section 40(2)	Information not held	Fraud Offence	2007-2010	36
3	Withheld under Section 40(2)	Information not held	Proceeds of Crime Offence	2012	35
4	Withheld under Section 40(2)	Information not held	Theft Offence	2005	50
5	Withheld under Section 40(2)	Information not held	Theft/Handling Stolen Goods Offence	2007	32