



Ministry of Defence Police

Data Protection Officer & Freedom of
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Our Ref: eCase: FOI2018/02954 RFI:064/18

Date: 27 March 2018

Dear [REDACTED]

FREEDOM OF INFORMATION ACT 2000. MINISTRY OF DEFENCE POLICE: COMPUTER MISUSE ACT

I refer to your e-mail of 23 February 2018, which was acknowledged on the 27 February 2018.

We are treating your e-mail as a request for information in accordance with the Freedom of Information Act 2000 (FOIA 2000).

In your e-mail you requested the following information:

“1)

i) The number of crimes reported to your police force which fall under the Computer Misuse Act in each of the last 3 years (2015, 2016, 2017).

ii) Of those crimes reported the number which references the following terms in initial police reports:

- “Hacking”
- “Smart device”
- “Connected device”

iii) Summary details on the crimes reported in i) and ii).

iv) Outcomes of those crimes reported in i) and ii).

2)

i) The number of crimes reported to your police force which fall under the Computer Misuse Act and makes reference to the following in each of the last 3 years (2015, 2016, 2017):

- “Jump box”
- “Penetration test drop box”
- “Drop box”
- “Raspberry pi”

ii) Summary details on the crimes reported in i) and ii).

iii) Outcomes of those crimes reported in i) and ii).

3)

i) The number of crimes reported to your police force which fall under the Computer Misuse Act which are classified as “denial of service” attack in each of the last 3 years (2015, 2016, 2017).

ii) Summary details on the crimes reported in i).

iii) Outcomes of those crimes reported in i).

A search for information has now been completed by the Ministry of Defence Police and I can confirm that we do hold some information in scope of your request.

1)

i) The number of crimes reported to your police force which fall under the Computer Misuse Act in each of the last 3 years (2015, 2016, 2017).

2015 – 1

2016 – 2

2017 – 3

ii) Of those crimes reported the number which references the following terms in initial police reports:

- **“Hacking”**
- **“Smart device”**
- **“Connected device”**

No information held.

iii) Summary details on the crimes reported in i) and ii).

2015 - Individual sent protectively marked emails from their work email account to his private email account.

2016 - Unauthorised persons may have had access to personal recruitment data.

2016 - Individual downloaded and removed restricted software onto personal laptop.

2017 - Suspicious activity report from Microsoft regarding email accounts.

2017 - Individual sent protectively marked emails from his work email account to his private email account

2017 - Individual unofficially accessed aggrieved persons MoD account.

iv) Outcomes of those crimes reported in i) and ii).

2015 – NFA – No Further Action

2016 - NFA – No Further Action

2016 - NFA – No Further Action

2017 - NFA – No Further Action

2017 – On-going

2017 – On-going

2)

i) The number of crimes reported to your police force which fall under the Computer Misuse Act and makes reference to the following in each of the last 3 years (2015, 2016, 2017):

- “Jump box”
- “Penetration test drop box”
- “Drop box”
- “Raspberry pi”

ii) Summary details on the crimes reported in i) and ii).

iii) Outcomes of those crimes reported in i) and ii).

No information held

3)

i) The number of crimes reported to your police force which fall under the Computer Misuse Act which are classified as “denial of service” attack in each of the last 3 years (2015, 2016, 2017).

ii) Summary details on the crimes reported in i).

iii) Outcomes of those crimes reported in i).

In relation to Question 3 the Ministry of Defence Police can neither confirm nor deny that it holds any information relevant to your request 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 24(2) – National security

Section 31(3) – 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 confirming or not that the information is held as well as carrying out a public interest test.

I have conducted a public interest test and concluded that the balance strongly favours neither confirming or denying the Ministry of Defence Police holds information.

- Section 24(2) applies because confirming or denying if information is held would be likely to compromise any ongoing or future operations to protect the security or infrastructure of the UK and increase the risk of harm to the public.

- Section 31(3) applies because confirming or denying if information is held would be likely to impact upon law enforcement.

This should not be taken as conclusive evidence that any information that would meet your request exists or does not exist.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights

Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

MDP Sec Data Protection and Freedom of Information Office