

MARCH 2019 FREEDOM OF INFORMATION RESPONSES

Year	Month	FOI Reference	Topic
2019	Mar	FOI/19/008	Correspondence with Ian Paisley MP on Northern Ireland councillor's remuneration conditions
2019	Mar	FOI/19/030	Brexit preparations: consultancy spend and departmental budgets
2019	Mar	FOI/19/031	Flexible working requests
2019	Mar	FOI/19/032	Commemorations of the Northern Ireland centenary
2019	Mar	FOI/19/033	Brexit preparations: staff recruitment
2019	Mar	FOI/19/034	Brexit preparations: usage of allocated funds
2019	Mar	FOI/19/035	Brexit preparations: spending and staffing resources
2019	Mar	FOI/19/036	Official and pool car journeys
2019	Mar	FOI/19/037	Secretary of State engagements
2019	Mar	FOI/19/038	Spending on social media advertising
2019	Mar	FOI/19/039	Special Advisers declaration of interests
2019	Mar	FOI/19/040	Expense fraud incidents
2019	Mar	FOI/19/041	Staff resignations due to discrimination
2019	Mar	FOI/19/042	Ministerial visits to Northern Ireland
2019	Mar	FOI/19/043	Cybersecurity

FOI Request Reference	FOI/19/008
Month Issued	March 2019
Request	<i>Under the Freedom of Information Act, I would like to request a copy of DUP MP Ian Paisley's correspondence with the NIO regarding Northern Ireland councillors' remuneration conditions.</i> <i>The Northern Ireland branch of the National Association of Councillors has been calling for better remuneration and severance conditions for councillors.</i> <i>In April, it told councillors that the previous month reps had met with Mr Paisley who "supported our view that councillors deserved better remuneration" and said he would be contacting the Secretary of State about this.</i> <i>More details on this can be found here: https://www.irishnews.com/news/northernirelandnews/2018/12/29/news/councillors-want-wage-equality-with-mlas-and-mps-1517175/</i> <i>Please disclose the following since March 2018:</i> • <i>A copy of any correspondence to/from Mr Paisley and/or his office relating to this matter.</i>
Response	We have conducted a thorough search of our records, and the relevant correspondence is attached. In line with the terms of section 38 (health and safety) of the Freedom of Information Act, we have considered whether it would be in the public interest for us to provide you with some of the information contained in the attached correspondence. Section 38 of the Freedom of Information Act states that 1. Information is exempt information if its disclosure under this Act would, or would be likely to a. Endanger the physical or mental health of any individual, or b. Endanger the safety of any individual. In this case, we have concluded that s38 is not engaged, however, we are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged.

FOI Request Reference	FOI/19/030
Month Issued	March 2019
Request	<i>I'm writing with a request under the terms of the Freedom of Information Act.</i> <i>I would like to know how much money your department has spent on any and all external consultants working in relation to Britain's exit from the European Union, for each of the years 2016, 2017, 2018, and 2019.</i> <i>I would like to know the provisions in your budget for preparation for Britain's exit from the European Union for each of the years 2016, 2017, 2018, and 2019.</i> <i>In addition, I would like to know what provisions you have made in your budget for no-deal contingency planning for each of the years 2016, 2017, 2018, and 2019.</i>
Response	As the cost of complying with your request would exceed the limit set by the Freedom of Information Act, on this occasion I'm afraid I will not be taking your request further. The law allows us to decline to answer requests under s12 of the FOIA when we estimate that it would cost us more than £600 to identify, locate, extract, and then provide the information that has been asked for. There are only certain activities that we can take into account when making this calculation, but you may be interested to know that the limit is equivalent to 31/2 working days' worth of work, calculated at £25 per hour. The Department does not hold information in a format that would allow all of the specific information you have requested to be provided without incurring disproportionate cost. It is therefore not possible to supply this information at this time.

FOI Request Reference	FOI/19/031
Month Issued	March 2019
Request	<i>I write to request the following under the Freedom of Information Act:</i> <i>As of 31 October 2018 the number of employees who have applied for or requested flexible working in the following categories:</i> <i>Working from home.</i> <i>Job share.</i> <i>Part-time</i> <i>Compressed hours.</i>

	• <i>Flexi-time</i> 2. <i>As of 31 October 2018 the number of requests that were granted in the following areas:</i> • <i>Working from home.</i> • <i>Job share.</i> • <i>Part-time</i> • <i>Compressed hours.</i> • <i>Flexi-time</i>
Response	In response to your questions, the agreement to these requests are made at a local level by line managers and we do not hold information on the number of employees who apply for or request these working arrangements, nor the number of requests that are granted. Staff in the Northern Ireland Office can request a number of working time options including job sharing, working part-time, compressed hours, flexi time and on occasions the capacity to work from home, which are operated locally and at the discretion of their line manager.

FOI Request Reference	FOI/19/032
Month Issued	March 2019
Request	<i>Under the Freedom of Information Act, please provide me with all material relating to the commemoration of the centenary of Northern Ireland in 2021.</i>
Response	The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for. To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually. You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.

	You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at Cost limits Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request or perhaps provide a series of key phrases for us to search. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.
--	--

FOI Request Reference	FOI/19/033
Month Issued	March 2019
Request	1. <i>How many staff in your department are working wholly or predominantly on Brexit preparations?</i> 2. <i>How many staff have been redeployed from other roles to work wholly or predominantly on Brexit preparations?</i> 3. <i>How many staff have been seconded from other departments or non-ministerial departments to work wholly or predominantly on Brexit preparations? And could you please specify how many have been taken and from which Departments (or non-ministerial departments)</i>
Response	In response to questions 1 and 2, EU exit affects a number of work areas across the department and will therefore encompass a proportion of workload for many staff, the amount of which will vary over time. As such it is difficult to quantify the number of staff working wholly or predominantly on Brexit preparations. In response to question 3, as there are fewer than 5 people, we are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information. The Northern Ireland Office currently employs 166 staff in Belfast and London, including those involved in EU Exit work.

FOI Request Reference	FOI/19/034
Month Issued	March 2019
Request	<i>Please could you supply me with the following information under the Freedom of Information Act:</i>

	<i>The Treasury allocated the Northern Ireland Office £1.4 million to make necessary preparations for EU-exit in 2018-19 and 2019-20.</i> <i>I would like to know how much of this allocation the Northern Ireland Office has spent thus far.</i>
Response	I can confirm that the department holds information that you have asked for, but it is exempt from disclosure under section 22 of the Act to provide information that is intended for future publication. Details of our spending and accounts for the year will be published in our Annual Report and Accounts which we have a statutory duty to produce for the financial year. When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors: Public interest considerations favouring disclosure - Disclosure would be consistent with the Government's commitment to increasing transparency Public interest considerations favouring withholding the information - It is the right decision to manage the availability of the information by planning and controlling its publication; - the timetable properly requires internal consideration of the information prior to its public release; and - This information should instead be available through our publication scheme. We have therefore reached the view that, on balance, the public interest is better served by withholding this information under Section 22 of the Act at this time.

FOI Request Reference	FOI/19/035
Month Issued	March 2019
Request	<i>Please consider this as a request under the Freedom of Information Act.</i> <i>What is total money spent by your department on work preparing for a 'no deal' Brexit between 14th July 2016 and 31st January 2019; and the date of the earliest work preparing for a 'no deal' Brexit</i> <i>What is the total number of civil servants who have worked on preparations for a 'no deal' Brexit at your department, including both full-time and part-time staff, between 14th July 2016 and 31st January 2019?</i>

Response	In response to question 1, the Department has not specifically allocated any funding on work preparing for a 'no deal' Brexit between 14 July 2016 and 31 January 2019. Whilst it is difficult to give a precise date on when the Department started work to prepare for a 'no deal' scenario, preparations for the UK to exit the EU have been underway since 24 June 2016, the day after the referendum. In response to question 2, EU exit affects a number of work areas across the department and will therefore encompass a proportion of workload for many staff, including those working both full-time and part-time, the number of which will vary over time. The Department has restructured its approach to the way it handles EU exit work, moving from an initial central EU exit co-ordinating team of 7 to the current position where EU exit work is distributed widely across the whole department. As such it is difficult to quantify the number of staff working on preparing for the UK to leave the EU under any one possible scenario, between 14 July 2016 and 31 January 2019, including a 'no deal' Brexit. The Northern Ireland Office currently employs 166 staff in Belfast and London, including those involved in EU Exit work.
-----------------	--

FOI Request Reference	FOI/19/036
Month Issued	March 2019
Request	<i>I would like to request under the FOI act details of any official and pool car journeys made on Sunday 23rd October 2016 between the hours of 16:00 and 23:59 to postcode area SW3.</i> <i>If you hold any records please provide the</i> <i>starting point postcode / address (if not a home address)</i> <i>destination point postcode / address (if not a home address)</i> <i>person(s) making use of the vehicle assuming they are above civil service grade requiring disclosure</i> <i>purpose of the journey if held</i>
Response	The Northern Ireland Office does not hold this information.

FOI Request Reference	FOI/19/037
Month Issued	March 2019
Request	<i>Under Freedom of Information legislation I would like to request details of each and every engagement/event that Karen Bradley has undertaken/attended in her role as the secretary of state since being appointed.</i>

Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). We have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600. The link below will provide you with the Northern Ireland Office's Quarterly Ministerial Transparency Data and may help with your query. https://www.gov.uk/government/collections/ni-office-ministerial-transparency-data Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to reconsider the scope of your FOI request and submit a revised and more targeted request by providing a shorter timeframe/date range or more specific types of stakeholders. You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large number of records in order to find out whether we hold any information relevant to your request. You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12. With regards to your request for information of official engagements, ministerial engagements are published on a quarterly basis and can be found at the following link: https://www.gov.uk/government/publications?departments%5B%5D=northern-ireland-office Although we cannot answer your request at the moment, we might be able to answer a refined request within the cost limit. You may wish to consider focusing your request on a narrower range of issues and/or on records produced during a more focussed set of dates. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.
------------------------	---

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) If that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

	The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at: • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded. • Determining whether it holds the information requested • Locating the information or documents containing the information • Retrieving such information or documents • Extracting the information from the document containing it.
--	---

FOI Request Reference	FOI/19/038
Month Issued	March 2019
Request	<i>Can I request the below information under the FOI Act please?</i> <i>How much money did your department spend on advertising on a) Facebook and b) Instagram in 2014? 2015? 2016? 2017? 2018?</i>
Response	The Northern Ireland Office did not spend any money on advertising on a) Facebook and b) Instagram between 2014-2018.

FOI Request Reference	FOI/19/039
Month Issued	March 2019
Request	<i>I am sending this request under the Freedom of Information Act.</i> <i>Please provide a copy of the declaration of interests made by each current departmental special adviser to your department.</i>
Response	I can confirm that the department holds information that you have asked for, but in this case we will not be providing it to you as it is exempt from disclosure as sections 40(2) and 40(1) are engaged. We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The

	terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information. We are also not obliged, under section 41(1) of the Act to provide information that has been provided in confidence to the department. The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information. Lord Caine, Special Advisor to the Secretary of State for Northern Ireland, has publicly available declarations of interest due to his position in the House of Lords and whilst this data is not owned by the Northern Ireland Office, you may be able to obtain it via the below link. https://www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/house-of-lords-commissioner-for-standards-/register-of-lords-interests/?letter=C
--	---

FOI Request Reference	FOI/19/040
Month Issued	March 2019
Request	<i>I would like to know the following under the freedom of information act.</i> <i>Breakdown of the number of incidents of expense fraud reported within your department over the last two calendar years, 2018 and 2017.</i> <i>The raw numbers are fine, however if possible within the limit please include details on the nature and outcome of the incidents.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA) and I can confirm there were no incidents of expense fraud reported in either year.

FOI Request Reference	FOI/19/041
Month Issued	March 2019
Request	<i>Over the past 10 years please can you tell me how many employees have left the department and cited discrimination as the reason, or partly the reason, why they are leaving?</i> <i>If the employee gave more detail on the type of discrimination they claimed to have experienced please include this in your response.</i>

Response	The Northern Ireland Office does not hold any records in relation to employees leaving the department where discrimination was cited, or partly cited, as the reason why they were leaving in the last ten years.
-----------------	---

FOI Request Reference	FOI/19/042
Month Issued	March 2019
Request	<i>I wish to refer you to my recent FOI, reference number 18/232 - dated September 27th 2018 - in which I asked for the following:</i> <i>All trips made to Northern Ireland by the following Secretaries of State during their tenure:</i> • <i>Owen Paterson</i> • <i>Theresa Villiers</i> • <i>James Brokenshire</i> • <i>Karen Bradley</i> <i>Please include the date of their arrival and departure, a list of any official engagements and the associated cost of each trip.</i> <i>I subsequently received a response in respect of this FOI request on October 25th, inviting me to refine my Freedom of Information request to come under the cost limit. I did so on November 7th 2018, altering my request as follows:</i> <i>All trips made to Northern Ireland by the following Secretaries of State during their tenure:</i> • <i>Theresa Villiers</i> • <i>James Brokenshire</i> • <i>Karen Bradley</i> <i>Despite stipulating that I was putting in a clarification, not a new request, this refined request was treated as a new FOI and refused on the same grounds using the same template as the first refusal. I again altered my Freedom of Information - sent on January 2nd 2019 - to request:</i> • <i>Copies of those pages of the appointment diaries of James Brokenshire and Theresa Villiers for the duration of their tenure as Secretary of State and that of Karen Bradley to date which cover their trips to Northern Ireland.</i>

	<i>I hoped that, by requesting just those pages that relate to relevant trips to Northern Ireland that I would be able to bypass potential redaction issues involved in requesting the full diaries.</i> <i>In making this latter request I formally request that you provide guidance to me should this request, in its altered form, still exceed the cost limit, noting that section 16 of the act, stipulates that a public body has "the duty to provide advice and assistance so far as it would be reasonable to expect the authority to do so".</i> <i>I wish to refine my request further to satisfy the cost limits as stipulated in your correspondence of January 31st last as follows: "we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour), to identify, locate, extract and then provide the information that has been asked for."</i> <i>I am now further altering my request to seek just those pages of the appointment diaries of James Brokenshire for the duration of his tenure as Secretary of State and that of Karen Bradley to date which cover their trips to Northern Ireland.</i>
Response	Freedom of information law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for in a request (section 12 FOIA). We have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600. The link below will provide you with the Northern Ireland Office's Quarterly Ministerial Transparency Data and may help with your query. https://www.gov.uk/government/collections/ni-office-ministerial-transparency-data Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to reconsider the scope of your FOI request and submit a revised and more targeted request by providing a shorter timeframe/date range or more specific types of stakeholders. You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large number of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at [Cost limits](#)

With regards to your request for information of official engagements, ministerial engagements are published on a quarterly basis and can be found at the following link: <https://www.gov.uk/government/publications?departments%5B%5D=northern-ireland-office>

Although we cannot answer your request at the moment, we might be able to answer a refined request within the cost limit. You may wish to consider focusing your request on a narrower range of issues and/or on records produced during a more focussed set of dates.

Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (2) Any person making a request for information to a public authority is entitled—
- (c) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (d) If that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (6) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (7) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

	(8) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases. (9) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority— (c) by one person, or (d) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them. (10) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated. <u>Guidance</u> <u>The appropriate limit</u> The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at: • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded. • Determining whether it holds the information requested • Locating the information or documents containing the information • Retrieving such information or documents • Extracting the information from the document containing it.
FOI Request Reference	FOI/19/043
Month Issued	March 2019
Request	<i>I would like to request answers to the below questions under the Freedom of Information Act 2000. The questions concern cybersecurity within your IT environment.</i> 1. Are you aware of the Minimum Cyber Security Standard, published 25th June 2018? a. Yes

b. No

2. What is your annual dedicated budget for cybersecurity (including personnel and technology)?

- a. £10,000 or less
- b. £10,001 - £50,000
- c. £50,001 - £100,000
- d. £100,001 - £500,000
- e. £500,001 - £1,000,000
- f. £1,000,001 - £5,000,000
- g. £5,000,001 - £10,000,000
- h. £10,000,001 or more

3. Approximately how many cyber-attacks (of any kind) have you experienced in your organisation in these 12-month periods?

	None	1 – 50	50 – 100	100 – 200	200 – 500	500 -1000	1000+
1st January 2017 – 31st December 2017							
1st January 2018 – 31st December 2018							

4. Which of the following attack / cybersecurity threat types have been detected by your organisation? [Select all that apply]

- a. Hacking
- b. Phishing
- c. Malware
- d. Ransomware
- e. Accidental/careless insider threat
- f. Malicious insider threat
- g. Foreign governments
- h. Crypto mining
- i. Other, please specify: _____

5. Which of the following form part of your cybersecurity defence technology strategy? [Select all that apply]

- a. Firewall

	<i>b. Antivirus software</i> <i>c. Network device monitoring</i> <i>d. DNS filtering</i> <i>e. Malware protection</i> <i>f. Log management</i> <i>g. Network configuration management</i> <i>h. Patch management</i> <i>i. Network traffic analysis</i> <i>j. Multi-factor authentication</i> <i>k. Network perimeter security solutions</i> <i>l. Employee training (whole organisation)</i> <i>m. Employee training (IT team)</i> <i>n. Other, please specify: _____</i> 6. Which of these obstacles has your organisation experienced in maintaining or improving IT security? [Select all that apply] <i>a. Competing priorities and other initiatives</i> <i>b. Budget constraints</i> <i>c. Lack of manpower</i> <i>d. Lack of technical solutions available at my agency</i> <i>e. Complexity of internal environment</i> <i>f. Lack of training for personnel</i> <i>g. Inadequate collaboration with other internal teams or departments</i> <i>h. Other, please specify: _____</i>
Response	1. Yes 2-6. The Northern Ireland Office can neither confirm nor deny that it holds the information you requested as the duty in section 1(1)(a) of the FOI Act does not apply, by virtue of both section 24(2) that relates to national security and sections 31(1)(a) and 31(3)(a) that relates to law enforcement and the prevention of crime. However, this should not be taken as conclusive evidence that the information you have requested exists or does not exist.

	Section 24 is a qualified exemption and so we have considered whether it would be in the public interest for us to confirm or deny whether we hold the information. In this case, we have concluded that the public interest favours neither confirming nor denying whether the requested information is held. Section 31 is a prejudice based exemption and is subject to the public interest test. With regard to your request, we recognise the public interest in knowing whether the government holds particular information. Balanced against this, is the public interest in not releasing information that would aid a criminal intent on launching cyber-attacks on the Department's IT systems. In this case we consider that the wider public interest lies in neither confirming nor denying that information, which may have been disclosed in an unauthorised manner, is held.
--	--