



**NORFOLK**  
CONSTABULARY  
*Our Priority is You*

Norfolk Constabulary

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### **Freedom of Information Request Reference N<sup>o</sup>: FOI 000054/16**

I write in connection with your request for information received by the Norfolk Constabulary on the 5<sup>th</sup> January 2016 in which you sought access to the following information:

- A How many incidents of computer hacking have been reported in the last five years, with a yearly breakdown (if five years is not available three years will do) reported in Norfolk?
- B Where have these attacks originated from (if known) with a yearly breakdown.
- C How many arrests have been made in relation to these attacks, with a yearly breakdown
- D How many of these attacks have been superficial i.e. defacement etc and how many have been malicious i.e. stealing information, with a yearly breakdown.
- E If possible, how many of these attacks have been on personal computers, how many on state computers (police, council etc) and how many on business computers, with a yearly breakdown. I realise this last one may not be available easily.

The request refers to incidents of hacking by strangers via electronic means and not incidents where someone uses a friend's password to access an account.

Norfolk Constabulary holds information relevant to your request.

### **Response to your Request**

Norfolk Constabulary has located the following information as relevant to your request.

The definition of the word 'hacked' is '...To manipulate a computer program skilfully to gain unauthorised access to another computer system...'

- A There have been 3 recorded crimes.
- B This information is not known.
- C There are no records of any arrests within the crime reports.
- D The 3 crimes have been recorded under the following offence categories:-
  - o Dishonestly Obtain Electronic Communication Services
  - o Threats to Kill / Malicious Communications
  - o Harassment

E Two of the above relate to personal computers and one a business computer.

### Partial Neither Confirm Nor Deny

Additionally, Norfolk Constabulary can neither confirm nor deny that it holds any other 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 23(5) Information supplied by, or concerning, certain Security Bodies
- Section 24(2) National Security
- Section 31(3) Law Enforcement

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case.

Sections 24 and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm in confirming whether or not any other information is held, as well as considering the public interest.

### Harm in Confirming or Denying whether any other information is held

To confirm or deny whether any other information is held, relevant to this request, would identify vulnerable computer systems and provide actual knowledge, or not, that these incidents have taken place.

In order to counter criminal and terrorist behaviour, it is vital that the Police and other agencies have the ability to work together, where necessary covertly, in order to obtain intelligence within current legislative frameworks, to ensure the arrest and prosecution of offenders who commit or plan to commit acts of terrorism, whereby their modus operandi may involve 'hacking' into secure databases.

In order to achieve this goal, it is vitally important that information sharing takes place with other police forces and security bodies within the United Kingdom in order to support counter-terrorism measures in the fight to deprive terrorist networks of their ability to commit crime.

To confirm or deny specific details of any breaches of information technology and security, IE hacking, would be extremely useful to those involved in terrorist activity, as it would enable them to map vulnerable information security databases.

### Public Interest Considerations

#### Section 24 - Factors favouring confirmation or denial of whether information is held

The public are entitled to know how public funds are spent and how resources are distributed within an area of policing. To confirm where computer hacking incidents have occurred would enable the general public to hold Norfolk Constabulary to account ensuring all such incidents are recorded and investigated appropriately. In the current financial climate of cuts and with the call for transparency of public spending this would enable improved public debate.

#### Section 24 - Factors against confirmation or denial of whether information is held

Security measures are put in place to protect the community that we serve. As evidenced within the harm, to confirm where computer hacking incidents have occurred would highlight to terrorists and individuals intent on carrying out criminal activity vulnerabilities within Norfolk Constabulary.

Taking into account the current security climate within the United Kingdom, no information (such as the citing of an exemption which confirms other information pertinent to this request is held, or

conversely, stating 'no information is held') which may aid a terrorist, should be disclosed. To what extent this information may aid a terrorist is unknown, but it is clear that it will have an impact on the force's ability to monitor terrorist activity.

Irrespective of what other information is or isn't held, the public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

The cumulative effect of terrorists gathering information from various sources would be even more impactful when linked to other information gathered from various sources about terrorism. The more information disclosed over time will give a more detailed account of the tactical infrastructure of not only a force area but also the country as a whole.

Any incident that results from such a disclosure would by default affect National Security.

#### Section 31 – Factors favouring confirmation or denial of whether information is held

Confirmation that any other information exists relevant to this request would lead to a better informed public which may encourage individuals to provide intelligence in order to reduce such security breaches.

#### Section 31 – Factors against confirmation or denial of whether information is held

Confirmation or denial that any other information is held in this case would suggest Norfolk Constabulary take their responsibility to protect information and information systems from unauthorised access, destruction, etc., dismissively and inappropriately.

#### Balancing Test

The points above highlight the merits of confirming or denying whether any other requested information exists. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, information is gathered which can be highly sensitive relating to high profile investigative activity.

Weakening the mechanisms used to monitor any type of criminal activity, and specifically terrorist activity would place the security of the country at an increased level of danger.

In order to comply with statutory requirements and to meet the expectation of the Police Service with regard to the management of information security the College of Policing has an Authorised Professional Practice for Information Management, see below link:

<https://www.app.college.police.uk/app-content/information-management/?s=>

In addition, anything that places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service.

Therefore, at this moment in time, it is our opinion that for these issues the balance test favours neither confirming nor denying that any other information is held.

No inference can be drawn from this refusal that any other information is or isn't held.