

By email

20 July 2023

Case reference: IC-242864-B0X0

We are now in a position to respond to your information request.

Request

In your email you asked the following:

"Please confirm how many organisations, since 2018 till now have been prosecuted by the ICO under Section 173 paragraph 3 - It is an offence for a person listed in subsection (4) to alter, deface, block, erase, destroy or conceal information with the intention of preventing disclosure of all or part of the information that the person making the request would have been entitled to receive."

We have handled your request under the Freedom of Information Act 2000 (FOIA).

Our response

We have not prosecuted any organisations under section 173(3) of the Data Protection Act 2018 (DPA 2018).

It may help to explain that the legislation refers to an individual ('person'). We would therefore not prosecute an organisation under section 173(3). We have not prosecuted any person for this offence since 2018. Please note, this was a new offence in the DPA 2018 from the previous DPA 1998.

You can find details of our enforcement action on our website [here](#). You can also find our Communicating regulatory and enforcement action policy online [here](#).

This concludes our response to your request. We hope you found this information helpful.

Next steps

You can ask us to review of our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days. You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority. You can [raise a complaint through our website](#).

Your information

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely



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**For information about what we do with personal data
see our [privacy notice](#)**