

By email

27 September 2023

Case reference: IC-248665-R2T4

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

Request

In your original email you asked the following:

"I am interested in understanding the frequency of the ICO/Police/Law Enforcement agencies collaboration and applying the law in relation to the DPA 2018. The Sections I am interested in are:

*119 Inspection of personal data in accordance with international obligations
132 Confidentiality of information
144 False statements made in response to information notices
148 Destroying or falsifying information and documents etc
170 Unlawful obtaining etc of personal data
171 Re-identification of de-identified personal data
173 Alteration etc of personal data to prevent disclosure to data subject
184 Prohibition of requirement to produce relevant records
196 Penalties for offences
198 Liability of directors etc*

I would like to know the frequency, dates and outcome please, and any other information you deem relevant for this request."

We subsequently wrote to you asking for clarification on the information you were seeking. In your response you provided the below in relation to paragraph 4 in our clarification letter.

'We would therefore be grateful if you could provide further detail on the specific aspects of our work within the DPA 2018 sections listed and/or the particular law enforcement agencies you are interested in. This will help us to narrow down our searches.'

iv) Paragraph 4 – In relation to the DPA 2018 Sections 119, 132, 144,148, 170, 171, 173, 184, 196 and 198 – I would like to know the number of times since May 25th 2018 that the following Police Forces (City of London Police, Met Police, Thames Valley Police, Surrey Police, West Midlands Police) have either requested/invoked/required to use any of the Sections and if the ICO used the criminal prosecutory powers available to it”.

Following our final communication on the interpretation of your request, you confirmed the below wording.

"As for the below Yes let's go with the, 'Number of times since 25 May 2018 the ICO have received and investigated a referral from these police forces in our capacity as data protection regulator, and if we prosecuted those instances or not?' ”.

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

Our response

Please find below the information within scope of your clarified request.

This is the number of times since 25 May 2018 a referral has been received by our Criminal Investigations team from these police forces (City of London Police, Metropolitan Police Service, Thames Valley Police, Surrey Police, West Midlands Police) and whether a prosecution was pursued as a result. These referrals relate to sections of the Data Protection Act 2018 (DPA 2018) you have listed.

'Incident' is the stage where we are considering the evidence presented and are making enquiries into the matters raised, prior to any formal investigation.

'Investigation' relates to the formal investigation stage.

Police force	Incidents	Investigations	Prosecutions
City of London Police	0	0	0
Metropolitan Police Service	7	1	0
Thames Valley Police	1	0	0
Surrey Police	3	0	0
West Midlands Police	3	0	0

Our investigations manual online [here](#) provides further information on our procedures and the work of the Criminal Investigations team. If we decide to take enforcement action it will be published on our website [here](#), in line with our communication policy [here](#).

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

Next steps

You can ask us to review 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](#)**