

7 December 2023

**IC-272584-S1B5**

**Request**

You asked us:

*"During the period on or before 19 November 2020, officers and staff of the Metropolitan Police force (MET), and Greater Manchester Police (GMP) were asked to submit photographs to project 'Fortress' to be placed on the new warrant cards. We understand that a Ransomware attack took place upon a third party (Digital ID) in whom we understand both of the forces above had previously instructed Digital ID to replace all warrant and fortress cards.*

*Under the Freedom of Information Act 2000 provides public access to information held by public authorities. We therefore request the following information:*

*I would like you to provide this information in the following format:*

- *Metropolitan Police Force and Greater Manchester Police force data sharing agreement with Digital ID*
- *The Data Protection Impact assessment (DPIA) from Metropolitan Police Force, Greater Manchester Police force and Digital ID*
- *Confirmation if Digital ID paid a ransom to the attackers"*

We received your request on 24 November.

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

## **Our response**

We do not hold any information within the scope of the second and third parts of your request. We have not been advised as to whether any ransom was paid and did not require copies of DPIAs from either force as part of this investigation.

We do hold information within the scope of the first part of your request, and this is withheld pursuant to s.44 FOIA as we are legally prohibited from disclosing it under s.132 DPA 2018. Further explanation is provided below.

### **Section 44 of the FOIA –**

Section 44 is an absolute exemption which does not require consideration of the public interest test of the type required by a qualified exemption.

Section 44(1)(a) of the FOIA states;

'(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it -

- a. is prohibited by or under any enactment'

In this case, the Data Protection Act 2018, Part 5, section 132 prohibits the disclosure of confidential information that -

- a. has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner's functions,
- b. relates to an identified or identifiable individual or business, and
- c. is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,

unless the disclosure is made with lawful authority.

The information withheld relates to identifiable businesses being the Metropolitan Police, Greater Manchester Police and Digital ID and was obtained during the course of our investigation into the Digital ID data security incident. We do not have lawful authority to disclose this information to you. Section 132(3) imposes a criminal liability on the Commissioner and his staff not to disclose information relating to an identifiable individual or business for the purposes of carrying out our regulatory functions, unless we have the lawful authority to do so or it has been made public from another source.

## 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](#) on our website.

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 sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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