

9 April 2024

ICO Case Reference IC-293206-Q7M3

Request

You asked us:

"1. How many data breaches have been reported to the ICO from a) Police b) Crown Court c) Magistrates Court d) Family Court.

Can you please provide the amount of reports per organisation?"

We received your request on 8 March 2024.

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

Our response

We do hold information about the number of personal data breaches reported to us. We publish personal data breach data sets online.

[Personal data breach cases - data sets | ICO](#)

The data sets are published by quarter and cover a time period from Q4 2020/21 to Q2 2023/24. Your request does not supply a timeframe, but the published data sets are exempt from disclosure under [section 21](#) and any subsequent data sets are exempt under [section 22](#) FOIA because the information will be published in future.

To calculate how many personal data breaches have been reported to us by organisation filter the data sets. First filter for personal data breaches reported in the justice and central government sectors. Then filter by sub-sector, for a police force, police authority or relevant government department such as the Ministry of Justice. Then filter the submitted about account column for organisations of interest.

Where the decision recorded about a data breach report case is investigation pursued. Then the incident is passed to our Investigations department because it is serious enough to be considered for full investigation and potential regulatory action. We also publish quarterly investigation data sets online.

[Civil investigations- data sets | ICO](#)

[Cyber investigations - data sets | ICO](#)

Additional relevant information can be found on our data security incident trends webpage, the dashboard with its time series and breakdown tab may be of interest.

[Data security incident trends | ICO](#)

Information withheld

Section 21 FOIA

Although we hold information falling in the scope of this request it is available to you outside of FOIA because it is already published online.

As a result, the information we hold is technically withheld in reliance on section 21 of the FOIA. This exempts information which is reasonably accessible to the applicant through means other than a request under the FOIA.

It is an absolute exemption, which means it is not necessary for us to consider any public interest test

Section 22 FOIA

More recent personal data breach case information has not been published yet and is exempt under section 22 of FOIA.

Section 22 of the Act states that information is exempt from disclosure in response to an information request if:

“(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) the information was already held with a view to such publication at the time when the request for information was made, and

(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a)."

The exemption at section 22 is qualified by the public interest test, meaning that the information should be disclosed if the public interest in the maintenance of the exemption does not outweigh the public interest in disclosure.

The factors in favour of maintaining the exemption are:

- The ICO has a history of publishing this information on a routine basis and has committed to publishing relevant data sets in the future.
- To prepare this information for disclosure earlier than our intended date of publication in response to individual requests we receive would not be an efficient use of resources when we intend to publish this information in future anyway.
- Earlier disclosure is not necessary to satisfy any pressing public interest at the present time.

Having considered the public interest arguments, we consider it reasonable in the circumstances to withhold this information under section 22 of the FOIA.

That concludes our response to this information request.

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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Strategic Planning and Transformation

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ico.org.uk twitter.com/iconews

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