

T/Chief Constable
T/Chief Constable Darren Martland
Police Headquarters
Carleton Hall Penrith,
Cumbria
CA10 2AU



5th August 2025

Dear

FREEDOM OF INFORMATION REQUEST – FOI 710/25 Digital Forensics

I refer to your request for information which was received by Cumbria Constabulary on 9th July 2025. I note you seek access to the following information:

1. *A blank copy or template of any form(s) currently used by Cumbria Constabulary for the submission of digital devices or digital exhibits to your Digital Forensics Unit (e.g. mobile phones, computers, tablets).*
 - *This may include local versions of the MG21 form or any other documentation routinely used to request digital forensic examinations.*
 - *This request is made solely for academic research purposes as part of a postgraduate study in Digital Forensic Investigation. I am not requesting any case-sensitive or operationally sensitive content- the purpose is to analyse the design and structure of the form only.*

If available, I would be grateful to receive:

2. *Any local guidance or instructional materials provided to officers completing the form.*
3. *Confirmation of whether your force uses the national MG21 template, or a locally adapted version.*

Your request for information has now been considered and I can confirm Cumbria Constabulary does hold some information relevant to your request, however the Constabulary is not obliged to disclose the requested information to you.

Section 17 of the Freedom of Information Act 2000 requires Cumbria Constabulary when refusing such information (because the information is exempt) to provide you the applicant with a notice which

- (a) states the fact,
- (b) specifies the exemption and
- (c) states (if it would not be apparent) why the exemption applies.

The exemptions applicable in this case are:

Section 31 (1) (a)(b), Law Enforcement

The requested information is exempt by virtue of Section 31 as Cumbria Constabulary's submission process is electronic and supplied as part of a case management system.

In this case, we consider that disclosure of the information would be likely to make the police service more open to malicious attacks on our computer systems. The risk of cyber-attacks, with the threat more likely since the war in Ukraine, therefore, posing an increased risk more recently.



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Section 31(1)(a) exempts information if its disclosure would or would be likely to prejudice the prevention and detection of crime.

As a qualified and prejudice-based exemption, I am required to evidence the harm and apply the public interest test.

Evidence of Harm

Every effort should be made to release information under Freedom of Information. However, a FOIA response is a release to the world, as once the information is published, the public authority has no control over what use is made of that information.

The Police Service is charged with enforcing the law, preventing, and detecting crime and protecting the communities we serve. To achieve these objectives, all forces utilise Information Technology essential to front line services. Disclosure of the Constabulary's ICT infrastructure, including on-going plans for specific software applications and capabilities, or the lack thereof, would reveal intricacies of those systems, thereby highlighting vulnerabilities and compromising individual force information assurance.

Disclosure would also enable a geographical picture to be drawn up by those individuals who are intent on 'hacking' police systems; some of these individuals may include terrorists or terrorist organisations. In terms of duty of care, this would be detrimental to the public, as disclosure could assist a malicious actor by highlighting vulnerable forces and leaving those forces open to disruption of Information Technology systems; thus, compromising the effective delivery of operational law enforcement which in turn, is met by an increase of criminal offending.

Public Interest Test

Factors favouring disclosure – Disclosing the specific details of certain ICT infrastructure, would allow the public to be better informed on the health state and performance of each forces Information Technology platform. In addition, forces are required to demonstrate efficient services to local taxpayers and satisfy audit requirements. This would provide transparency regarding the use of public funds in so much as highlighting that funds are being used correctly and appropriately, to ensure all Data Centres have adequate software, which results in the smooth running of force Technology systems.

Factors favouring non-disclosure - Whilst there is public interest in providing reassurance that police forces are appropriately and effectively dealing with any threats, posed against police force Technology capabilities, there is a strong public interest in safeguarding the welfare and safety of the public. If ICT systems were successfully attacked, it could lead to the loss of confidentiality, integrity, and availability of police information. Any disclosure has the potential to undermine current and future technological integrity, which in turn compromises Law Enforcement, and could jeopardise the daily running of policing activity. The risk of affecting the function of the police service would be much greater. In addition, by revealing ICT software, this is intelligence to those who would wish to exploit vulnerabilities in the service. This may lead to the compromise of force IT systems which ultimately affects law enforcement capabilities and hinders the prevention and detection of crime or terrorism.

Balance Test

The security of the country is of paramount importance and the Police service will not divulge any information, if to do so would undermine law enforcement and therefore compromise the work of the police service. Whilst there is a public interest in the transparency of policing and force infrastructure, including the Police ICT infrastructure, there is a very strong public interest in safeguarding the integrity of these systems in place.



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The points above highlight the merits for and against disclosure of the requested information. Disclosure would undoubtedly provide a greater openness and transparency to the community at large regarding the Information Technology resources available to the police, and whilst there is always a public interest in the transparency of how a police force delivers effective law enforcement, there is a very strong public interest in safeguarding the intricacies and tactical capabilities of the software used when dealing with information.

I am aware of the immense importance for Public Authorities to demonstrate a level of openness and transparency, I am of the opinion that protecting the tactical capability of Cumbria Constabulary must take precedence in this case. With this in mind, it is my decision that the balance of the public interest lies in the non-disclosure of the exempted information.

I can advise you that Cumbria Constabulary do not currently use the MG21 form and there has been no local guidance or instructional materials provided to officers regarding completing the digital form used by the Constabulary as it is a step by step process and self-explanatory.

Complaint Rights

If you believe your request has not been properly handled, or you are otherwise dissatisfied with the outcome of your request, you have the right to request an internal review.

In the first instance, please email freedomofinformation@cumbria.police.uk quoting the FOI reference number and explain why you are dissatisfied. Your complaint will be considered and a response will be provided to you after your complaint has been investigated.

If you remain dissatisfied following conclusion of the internal review, you have the right, under section 50 of the Freedom of Information Act, to complain directly to the Information Commissioner.

The address for the Information Commissioner can be found below:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Complaints to the Information Commissioner can also be made online:

[Make a complaint | ICO](#)

I would like to take this opportunity to thank you for your interest in Cumbria Constabulary.

