



NORFOLK
CONSTABULARY
Our Priority is You

Mr Andrew Montford
request-73614-a3517017@whatdotheyknow.com

Norfolk Constabulary

Freedom of Information Department
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17th January 2012

Dear Mr Montford

Freedom of Information Request Reference N°: FOI 100/11/12

On the 29th July 2011 I sent a letter to you enclosing information released under the Freedom of Information Act in relation to part 2 of your request below.

According to information recently released to me under FOI, the University of East Anglia paid £10469.25 to yourselves in January or February 2010.

Could I please have copies of:

1. any related financial paperwork (invoices, contracts etc)
2. any related correspondence and/or emails.

Following an internal review, which upheld our original decision to redact the correspondence on the basis that some information was not relevant to the request, and some information was exempt under section 41, Information provided in Confidence, you submitted an appeal to the Information Commissioner's Office (ICO). We have engaged with the ICO throughout their consideration of your appeal.

As part of this engagement we have returned to the relevant third parties, the UEA/Muir-Russell Inquiry and the company Qinetiq, to again seek their views on whether information about the negotiation between them for the provision of a service should continue to be treated as information that attracted a duty of confidentiality. The parties advised that there are two significant factors that have come into play since the original response was made; the passage of time and a change in the commercial functions of Qinetiq. This has led to both third parties removing their objections to the release of information originally refused under section 41. Therefore, the Constabulary no longer has reason to apply the exemption and we can release the information. A further set of emails is attached.

The Constabulary has removed certain information in line with its previous response:

- Direct email addresses and telephone numbers of individuals. It is Constabulary policy not to publish direct email addresses and telephone numbers. This is to ensure the efficient and effective control of email and telephone contact to individual members of staff. Details of how to contact the Constabulary are available on our website at www.norfolk.police.uk. Similarly, the UEA provides contact information on its website www.uea.ac.uk and Qinetiq on their website at www.QinetiQ.com



- Reference to other matters between Norfolk Constabulary and Qinetiq and not connected to the work covered by the relevant payment on the basis that this information is not relevant to your request.

A specific document containing technical information about the UEA server examined by Qinetiq was attached to one of the released emails. Whilst this document related in part to the work carried out by Qinetiq for the Muir-Russell Inquiry, it also relates to the ongoing criminal investigation being conducted by the Constabulary. For this reason the Constabulary has considered that the exemption at section 30, Investigations and Proceedings, is relevant.

The information is a technical description of the relevant server and issues relating to extracting information from the server. The server is at the centre of the police investigation into the unauthorised release of emails. To release such information would prejudice the ongoing investigation into how the emails came to be placed into the public domain and who might be responsible. It would provide an indication of the types of technical issues the investigation was both reviewing and encountering.

Public interest considerations in favour of disclosure.

In the context of this particular request for correspondence relating to the work conducted by Qinetiq for the UEA/Muir-Russell Inquiry, the release of the information would clarify the decisions of the Inquiry on what information they wanted Qinetiq to extract from the server. It would also show the scale of the work involved and why the extraction of emails for the purpose of the Inquiry incurred the level of cost, which was funded by public money.

Public interest considerations against disclosure.

Release of this information would indicate aspects of the forensic analysis of the server and the issues encountered. This information would be useful to any person who might have been involved in the release of the emails in understanding whether or not the police investigation has covered certain issues. The technical issues relating to the server will certainly be relevant material in any subsequent criminal proceedings, or if no such proceedings are brought, could be significant in explaining why no individual could be either identified or prosecuted for the release of the emails. Either way, the release of such information now would interfere with the disclosure obligations placed on the prosecution and the rights of the defendant, or would provide information to the wider public of whether certain methods are or are not detectable. Whilst the information itself is likely to be known to any person who has some knowledge and understanding of the technicalities relating to servers and backup processes, it is not published in the context of the arrangements at the UEA CRU and some of the information describes technical circumstances specific to the UEA CRU.

In balancing the competing public interest arguments I have reviewed the information already made public by the Muir-Russell Inquiry. I note that whilst reference is made to the access to emails on the server (Appendix 6) and the fact that a full analysis would require 'considerable further time and extensive manual intervention' it did not go into detail as to why this was necessary. The Report also referenced the need for high level security arrangements attached to the Inquiry's access to, analysis of and reporting of issues relating to information security. Paragraph 32 in relation to information security states, 'We are constrained in our detailed findings by the fact that a police investigation is ongoing'. It is apparent that the Inquiry accepted that technical information should be protected in order not to prejudice the criminal investigation and whilst the investigation is ongoing the Major Investigation Team have confirmed that this position is unchanged. The public interest lies in ensuring that this investigation can pursue all lines of enquiry and not have those enquiries hindered or evaded; in ensuring any proceedings are not compromised; and that no person is given information that could be used to commit similar offences. I have concluded that the information contained in this document should be refused on the basis of section 30(1)(a)(i)(ii).

This response will be published on the Norfolk Constabulary's web-site www.norfolk.police.uk under the Freedom of Information pages at [Publication Scheme - Disclosure Logs](#).

Should you have any further queries concerning this request, please contact me quoting the reference number shown above.

Yours sincerely,

Dawn Clarke
T/Head of Information Management

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

The Norfolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk Constabulary to review their decision.

Ask the Norfolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by the Norfolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk Constabulary that you are requesting a review within 2 months of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Professional Standards Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.pnn.police.uk*

In all possible circumstances the Norfolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with the Norfolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.informationcommissioner.gov.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700