



# Ministry of Defence Police

Freedom of Information Manager

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Chris Legal

request-681167-  
d7c20169@whatdotheyknow.com

Our Ref: eCase: FOI 2020/08824  
RFI:216/20

Date: 19<sup>th</sup> August 2020

Dear Mr Legal,

## **FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: CELLEBRITE.**

We refer to your email dated 30 July 2020 to the Ministry of Defence Police which was acknowledged on the 31 July 2020.

We are treating your email as a request for information in accordance with the Freedom of Information Act 2000 (FOIA 2000).

In your email you requested the following information:

**“Please advise me under FOI whether the MOD police:  
Has received services from Cellebrite, either for cloud extraction or any other services  
Whether these services included Facial Recognition technology  
Whether the use of Cellebrite’s services required the MOD Police to send data or hardware to Cellebrite.  
If the use of Cellebrite’s services required the MOD Police to send data or hardware to Cellebrite. Did the MOD Police send the information/hardware to Cellebrite’s Israeli offices  
Whose data was analysed? Suspects? Witnesses? Victims? Or all of these categories?”**

The Ministry of Defence Police can neither confirm nor deny that they hold any information relevant to your request as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 24(2) – National Security

## Section 31(3) – Law Enforcement

Sections 24 and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm that would be caused in confirming or denying that any information is held by carrying out a public interest test.

I have conducted a public interest test and while the Ministry of Defence Police understands the importance of releasing information that is in the public interest, it is has been concluded that the balance strongly favours neither confirming or denying the Ministry of Defence Police holds any information.

Section 24(2) is engaged because by confirming or denying whether any information is held in relation to this request would render security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or critical national infra-structure of the UK and increase the risk of harm to the public.

Section 31(3) is engaged because by confirming or denying that any information is held in relation to a contract with Cellebrite would have the effect of compromising law enforcement tactics and would also hinder any future investigations. In addition, confirming or denying methods used to gather intelligence for an investigation would prejudice that investigation and any possible future proceedings.

This should not be taken as conclusive proof that any information that would meet your request exists or does not exist.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk).

Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

**MDP Secretariat and Freedom of Information Office**