

<p>Section 31 – Law enforcement</p> <p><i>(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –</i></p> <p><i>(a) prevention or detection of crime ...</i></p> <p><i>(d) the assessment or collection of any tax or duty or of any imposition of a similar nature.</i></p> <p><i>(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mention in subsection (1).</i></p>	
<p><i>Factors for disclosure</i></p>	<p><i>Factors for with-holding</i></p>
<ul style="list-style-type: none"> • The Freedom of Information Act presupposes that disclosure of information is generally to be in the public interest. • It is in the public interest to know that DVLA's online systems are working correctly. • The public have the right to know that their data is sufficiently protected by robust systems that can withstand the impact of a cyber-attack. 	<ul style="list-style-type: none"> • Confirming or denying DVLA holds any information in scope of the request may assist someone to determine the effectiveness of DVLA's online services and IT security. • To confirm or deny could compromise measures to protect DVLA ICT systems, leaving them vulnerable to cyber attacks or at least assist in criminal activity if malicious parties wish to conduct attacks using the simple fact that the Agency confirms the information asked for is held. • If DVLA systems are attacked it could lead to the loss of confidentiality, integrity and availability of DVLA information.
<p><i>Reasons why public interest favours withholding information</i></p> <p>DVLA has a duty to protect the information it holds. Were DVLA not to rely on this exemption, information might be disclosed that would be valuable to those who wish to undermine the security of the Agency's systems and lead to the access to or manipulation of data for unlawful purposes.</p>	