

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 5 November 2022

Public Authority: Information Commissioner
Address: Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Decision (including any steps ordered)

1. The complainant has requested a list of all the fields in a casework database. The above public authority ("the public authority") relied on section 31 of FOIA (law enforcement) to withhold the information.
2. The Commissioner's decision is that section 31 of FOIA is engaged and the balance of the public interest favours maintaining this exemption.
3. The Commissioner does not require further steps.

Request and response

4. On 22 January 2022, the complainant wrote to the public authority and requested information in the following terms:

"I understand you have moved to a new case management system within the last few years, which issues reference numbers in the format XX-123456-A1B2. Please could you provide me with the names of all fields stored in this case management system?"
5. The public authority responded on 4 February 2022. It relied on section 31 of FOIA to withhold the requested information – a position it upheld at internal review.

Reasons for decision

6. In its refusal notice and its internal review, the public authority explained that revealing all the fields within its database would make that database more vulnerable to attacks – though it was unwilling to expand on that point for fear of undermining the exemption.
7. During his investigation, the Commissioner asked the public authority to provide him with a more detailed explanation.
8. The Commissioner cannot repeat the explanation the public authority provided in full, as to do so would risk undermining the use of the exemption in the first place. However, the gist of the explanation was that the more prior knowledge a hacker has about the architecture of a particular system, the easier it is to plan and refine potential attacks. Whilst this wasn't the public authority's only line of defence, lifting this veil of secrecy would leave the system more vulnerable to attacks and could reduce the effectiveness of some of the other counter-measures.
9. Whilst the further explanation provided in confidence could have provided more detail, the Commissioner does accept that it has provided an outline of the potential consequences of disclosure. He therefore accepts that the exemption has been engaged.
10. The Commissioner considers that the public interest in disclosure is relatively weak. The public authority has explained that some fields run in the background and so would be meaningless to the wider public.
11. On the flip side, there is a very strong public interest in allowing public authorities to defend themselves against cyber attacks. A number of public authorities have been targeted in previous years and this increases the public interest in withholding information that would increase their vulnerability.
12. The complainant has argued that partial disclosure is possible because not every field is sensitive. The Commissioner considers that this misunderstands the public authority's argument – which is not that some fields are more sensitive than others, but that the wider and more detailed the overall knowledge of the architecture of its system, the more vulnerable that system becomes to attack. In any case, the public authority already publishes data about its casework – which reveals the some of the types of information that it holds. Thus to the extent that the public authority could partially disclose information, it already does.
13. The Commissioner is thus satisfied that the balance of the public interest in this case favours maintaining the exemption.

Right of appeal

14. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

15. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
16. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Roger Cawthorne
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SK9 5AF