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4th April 2018

Our Ref: FOI2018/00866

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/00866

I write in connection with your request for information received on 16th February. I note you seek access to the following information:

I am sending this request under the Freedom of Information Act to ask for the following information regarding disclosure in criminal cases:

1. a) Will your force have appointed a dedicated disclosure champion by 28.02.18?
b) If so, what rank is this officer?

2. a) Does your force have a dedicated digital forensic unit? By this we mean a team dedicated to investigating and advising on evidence with a digital element including computers, mobile phones and other electronic devices capable of holding electronic data.
b) If so, what month and year did this unit begin operation?
c) If so, how many staff (FTE) currently work in the unit?

3. a) Does your force outsource digital forensic work to a private company? If not, has your force done so in the past?
b) If your force currently does, which private company/s does the force outsource to?
c) If your force has done so in the last ten calendar years, but has now stopped, please state which company/s you outsourced to and over what period.

4. a) Please state the number of cases in which there was a suspected failure to disclose evidence, which has been referred to your forces professional standards directorate, from January 1st 2017 to date. Please provide a breakdown by month.
b) Of these cases, please state the number that are still currently being investigated.
c) Of these cases, please state the number that involved digital non-disclosure.
d) Of these cases, how many were offences of rape? How many were other sexual offences?

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

Response

Q1 – Hertfordshire Constabulary along with Bedfordshire Police and Cambridgeshire Constabulary are working towards the achievement of a joint action plan. The rank of the officer leading this is Superintendent.

Q2 a – Yes. This unit is currently named the Hi-Tech Crime Unit (HTCU). This is due to be renamed as the Digital Forensic Investigation Unit.

Q2 b - We do not have any recorded information into when this unit was established.

Q2 c – 13 FTE

Q3 – This information is exempt from disclosure under s21 of the Freedom of Information Act, Information Reasonably Accessible by Other Means.

Section 21 provides that where information is available to you from another source we do not have to provide further copies.

The information you have requested is publicly available on the Hertfordshire Constabulary website at the following link;

https://www.blpd.gov.uk/foi/foi.aspx#&&/wEXBqUNU29ydERpcmVjdGlvbGJJQXNjZW5kaW5nBQtkZGxBcmNoaXZlZAU_BMAUPZGRsT3JnYW5pc2F0aW9uBQlxOAUOU29ydEV4cHJlc3Npb25lBQlQYWdlSW5kZXgFATAFCXRiS2V5d29yZAUlRm9yZW5zaWNRpDoOemBLqyNlelJlB0psqCQVArw==

Q4 – Hertfordshire Constabulary does not record this level of detail on our systems; therefore we would have to conduct a manual search of every case to establish if it meets the criteria requested. This would take in excess of the 18 hour limit.

Unfortunately this means it is not possible to suggest a way to refine this request, as even if the date range were reduced it would still require hundreds of records to be manually checked.

We therefore, consider that the cost of complying with your request for information would exceed the appropriate limit of £450 as has been stated in the Freedom of Information (Fees & Appropriate Limit) Regulations 2004.

Section 12(1) of the Freedom of Information Act 2000 provides that –
“Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.”

Section 17(5) of the Freedom of Information Act 2000 requires Cambridgeshire Constabulary, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

The numerical data presented in this response is an un-audited snapshot of un-published data sourced from "live" systems and is subject to the interpretation of the original request by the individual extracting the data.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson
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Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.