



Your reference:

Our reference: FOI_25_0625

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Date: 16/07/2025

Dear

Gloucestershire Constabulary Freedom of Information request FOI_25_0625

On 19/06/2025 you sent an email constituting a request under the Freedom of Information Act asking the following:

I'd like to resubmit my FOI request based on your advice to submit a refined request with just question 2:

Under the Freedom of Information Act 2000, please can you disclose the following information:

2. How many compensation claims have been brought against the force for data breaches in the last three years (Broken down by financial years 2022/23, 2023/24 and 2024/25)
2a) Of those, how many were settled with compensation and how many were refused?
2b) How much has the force paid out in compensation for data breach claims in the last three years? (Broken down by years as above)

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

Year	Total No of claims	Settled with Compensation	Compensation refused	Total damages paid
2022 -2023	1	0	0	£0
2023-2024	5	1	4	£4,000
2024-2025	9	2	6	£11,000

Please note that the 2022-23 claim and one of the 2024-25 claims are still ongoing.

In addition to the above, please note that Gloucestershire Constabulary can neither confirm nor deny that it holds any information with regard to compensation claims for a data breach that may have occurred as a result of a cyber-attack, as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemption:

- Section 24(2) National Security
- Section 31(3) Law Enforcement

With Sections 24 and 31 being prejudice based qualified exemptions, there is a requirement to articulate the harm that would be caused in confirming or not whether information is held as well as considering the public interest.

Harm in Confirming or Denying that Information is held

To confirm or deny whether any further information is held in respect of successful cyber-attacks resulting in Data Breaches would provide actual knowledge that where an attempt has been made, it has or has not been successful. Confirming that such information is not held may assist potential attackers by indicating that an attack had gone undetected. Equally, confirming information is held would enable understanding of where attacks have been successful, and possible weaknesses exist. Attackers may then be able to tailor their methods to increase their chances of success.

To confirm or deny whether information is held in respect of any leaked data as a result of an attack would, in effect, confirm that there had been successful cyber-attacks made against the force, which would present harm as detailed above.

Furthermore, in order to counter criminal and terrorist behaviour it is vital that the police and other agencies have the ability to work together, where necessary covertly, in order to obtain intelligence within current legislative frameworks to ensure the arrest and prosecution of offenders who commit or plan to commit acts of terrorism, whereby their modus operandi may involve cyber-attacks on secure databases. In order to achieve this goal, it is vitally important that information sharing takes place with other police forces and security bodies within the United Kingdom in order to support counter-terrorism measures in the fight to deprive terrorist networks of their ability to commit crime. To confirm or deny specific details of any breaches of information technology and security would be extremely useful to those involved in terrorist activity as it would enable them to map vulnerable information security databases.

Public Interest Considerations

Section 24(2) National Security – Factors in favour of confirming or denying that information is held

The public are entitled to know how public funds are spent and how resources are distributed within an area of policing. To confirm information is held regarding successful cyber-attacks causing Data Breaches would enable the general public to hold Gloucestershire Constabulary to account ensuring all such breaches are recorded and investigated appropriately. With the call for transparency of public spending this would enable improved public debate.

Factors against confirming or denying that information is held

Security measures are put in place to protect the community we serve. As evidenced within the harm to confirm whether any cyber-attacks have been successful would highlight to terrorists and individuals intent on carrying out criminal activity vulnerabilities within Gloucestershire Constabulary which could be further exploited.

Taking into account the current security climate within the United Kingdom, no information (such as the citing of an exemption which confirms information pertinent to this request is held, or conversely, stating 'no information is held') which may aid a terrorist should be disclosed. To what extent this information may aid a terrorist is unknown, but it is clear that it will have an impact on a force's ability to monitor terrorist activity.

Irrespective of what information is or isn't held, the public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

The cumulative effect of terrorists gathering information from various sources would be even more impactful when linked to other information gathered from various sources about terrorism. The more information disclosed over time will give a more detailed account of the tactical infrastructure of not only a force area but also the country as a whole.

Any incident that results from such a disclosure would, by default, affect National Security.

Section 31 – Law Enforcement – Factors favouring confirming or denying that information is held

Confirmation that information exists relevant to this request would lead to a better informed public which may encourage individuals to provide intelligence in order to reduce such security breaches.

Factors against confirming nor denying that information is held.

Confirmation or denial that information is held in this case would suggest Gloucestershire Constabulary take their responsibility to protect information and information systems from unauthorised access, destruction, etc., dismissively and inappropriately.

Balancing Test

The points above highlight the merits of confirming or denying the requested information exists. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, information is gathered which can be highly sensitive relating to high profile investigative activity. Weakening the mechanisms used to monitor any type of criminal activity, and specifically terrorist activity would place the security of the country at an increased level of danger.

In addition anything that places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service. Therefore, at this moment in time, it is our opinion that for these issues the balance test favours neither confirming nor denying that information is held.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary