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Your ref:
Our ref: 2015030001530

21 July 2015

Dear Mr. Gallagher,

Freedom of Information Appeal MPS Reference No: 2015030001530

In regard to your complaint to the Information Commissioner concerning the request below: The MPS has now reviewed the matter and responds as outlined. Please accept my sincere apologies for the delay and also express my thanks in regard to the clarification you kindly provided via the Information Commissioner.

In 2013 it was reported that the Metropolitan Police had opened a criminal investigation into Edward Snowden's leak of classified material to the Guardian newspaper:

<http://bigstory.ap.org/article/guardian-paper-goes-court-over-seized-items>

The investigation was reportedly being led by the Met's then-assistant commissioner Cressida Dick:

<http://www.thetimes.co.uk/tto/news/uk/crime/article3919492.ece>

I would like to request that I be provided with any information held by the Met regarding, a) the current status of the investigation into the leaked classified material,

b) the cost of the investigation to date,

c) the number of officers currently involved in the investigation, and

*d) the name and rank of the officer who is now heading the investigation in the absence of Cressida Dick, who announced late last year that she was leaving the Met to take up a new job with the Foreign Office. **(Answered at initial request stage)***

Your clarification, received in June, was as follows:

"What I was trying to establish with my request was the status of this investigation - the one prompted by the seizure of documents from Miranda that Cressida Dick said was "ongoing into that material" and was looking at whether "some people" (i.e. Miranda and Guardian staff) "may have committed offences." That's what I was

referring to when I asked the Met to tell me "the current status of the investigation into the leaked classified material, the cost of the investigation to date."

As part of your clarification, the MPS recognises that you included the following extract and link to Hansard in respect of questions put to Assistant Commissioner Cressida Dick during her appearance at a Home Affairs Select Committee in December 2013:

www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/231/131203.htm

Chair: *Is there currently an ongoing investigation?*

Cressida Dick: *There is an investigation ongoing into that material, sir.*

Chair: *Into the material but not into any individual?*

Cressida Dick: *We are scoping what the material tells us about who may have committed what offences and we are working very closely with the Crown Prosecution Service and others to understand that it appears possible, once we look at the material, that some people may have committed offences. We need to establish whether they have or haven't. That involves a huge amount of scoping of material.*

In regard to the first element of your request:

a) The current status of the investigation into the leaked classified material.

The MPS can confirm that it continues to conduct an investigation into the events as described above.

However, in respect of parts b) and c):

b) the cost of the investigation to date,

c) the number of officers currently involved in the investigation

I am afraid that the information requested is in fact not held and I hope that I can explain why that is indeed the case.

The second element of the request relates to the cost to the MPS of the investigation undertaken into the leaking of sensitive material. However, in order to explain why the costs are not held I will address the staffing issues in the first instance.

This aspect is not as straightforward as it may seem. Clearly there will normally be a team or dedicated 'knot' of officers at the centre of any investigation, indeed, a previous FoIA request in 2013 disclosed the number of officers staffing Operation Fernbridge.¹

However, in regard to this specific request and the overall number of officers engaged, it should be recognised that investigations have been ongoing for some while, (2013) and that any resources allocated are likely to have fluctuated over time. In fact the MPS, on the balance of probability, is unlikely to hold a definitive list of officers or staff working on a specific investigation at any given time.

This is because an investigation is likely to bring in officers or police staff for very short periods in order to carry out specific functions for example; analysis, forensics, detailed searches and where necessary, to follow up all lines of enquiry. And although these officers and staff would, for the time engaged, be working 'on' the

¹ https://www.whatdotheyknow.com/request/how_many_officers_are_staffing_o

investigation, they would very probably be seconded in from various MPS units or departments. What unit and how many individuals would very much depend on the nature of the specific task or enquiry at hand. Accordingly, they would not necessarily be reflected in recorded information as being part of the named operation/s.

The records for individual officers and staff are kept on disparate systems and although entries would describe the hours worked and possibly the duty being undertaken, the record would not necessarily state a specific operation.

In regard to the actual cost to the MPS I believe that a distinct parallel can be drawn to a very recent DN issued by the ICO in favour of the MPS where that too related to the cost of an operation / investigation.²

It has been confirmed that whilst the MPS does have an overtime cost code for work incurred on investigations stemming from the information leaks, the MPS does not hold the actual cost for the reasons highlighted above in regard to staffing. Officer's duties within the MPS are recorded on an electronic system called "Computer Aided Resource Management" or CARM that allows for comprehensive planning, if need be, months in advance and for appropriate information to be accessible at any time to those who need it.

CARM incorporates functionality for booking on and off duty with a short description of the duty being performed. However, without the necessary specific budget code to cover all officers and all activity, calculating the number of officers engaged on a particular enquiry and for how long is unfortunately not recorded and therefore impossible to calculate.

Should you have any further inquiries concerning this matter, please do not hesitate to contact me on 0207 [REDACTED] or at the address at the top of this letter, quoting the reference number above.

Yours sincerely

Nigel Shankster
Senior Information Manager
Information Rights Unit
Information Law and Security
Metropolitan Police Service

cc Information Commissioner's Office

² https://ico.org.uk/media/action-weve-taken/decision-notice/2014/1015250/fs_50535606.pdf