

Explanation of Exemption

Section 31

Maintaining the security and integrity of the computer systems at The Gambling Commission is paramount to our regulatory functions.

Section 31 ('Law enforcement') provides that information held by a public authority is exempt if its disclosure would, or would be likely to, prejudice the exercise of a public authority of its functions including "the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise" (s.31(2)(c)).

Section 31 is a qualified exemption so we are required to consider whether maintaining the exemption is in the public interest.

In favour of disclosure

- There is a public interest in transparency and accountability through disclosure of information relating to public authority security issues.
- Disclosure of such information would provide an insight into the effectiveness of the Gambling Commission.
- Disclosure of the requested information could demonstrate to stakeholders and relevant parties that the Commission actively works towards the prevention of cyber-attack on the organisation and the protection of the information it holds.

In favour of maintaining the exemption

- Release of this information would make The Gambling Commission more vulnerable to crime; namely, a malicious attack on our computer systems.
- As such release of this information would prejudice the prevention or detection of crime by making The Commissions' computer system more exposed to hacking.
- Furthermore by placing the integrity of our computer systems at risk could lead to the information held within them being compromised; including sensitive personal and commercial data of individuals external to the Commission.
- The ability to identify vulnerabilities in our computer systems could reduce operator confidence in our ability to protect their information; leading to be less inclined to share information required for the Commission to fulfil its aims.

Weighing the balance

Whilst we recognise that there it is in the public interest to be transparent about the security measures of a public authority. There is an overwhelming public interest in keeping our computer systems secure in order to continue to effectively carry out both our regulatory and licensing functions; on this basis the Commission fall in favour of maintaining this exemption.