



Dear

Gloucestershire Constabulary Freedom of Information request 2023.0321

On 17/03/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

Please provide the following information:

In each year from 2017 to 2023 (inclusive), the number of referrals to the Prevent counter-extremism programme made regarding members of your force's staff. For each year, please provide a total figure, then break this down by the type of extremism referred regarding (e.g. far-right, Islamic etc), and by the number of referrals made regarding police officers of any rank, and the number made with regard to other (e.g. clerical) staff.

I can confirm that Gloucestershire Constabulary can neither confirm nor deny whether it holds the information that you requested as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 (the Act) does not apply by virtue of the following exemptions:

Section 24(2) - National Security

Section 30(3) - Investigations

Section 31(3) - Law Enforcement

Section 40(5) - Personal Information

Overall Harm for Sections 24 and 31

Any release under FOIA is a disclosure to the world, not just to the individual making the request. To confirm or not that information is held pertinent to this request would reveal whether or not Gloucestershire Constabulary has monitored its own employees as part of the Prevent programme.

Modern-day policing is intelligence led, and this is particularly pertinent with regard to both law enforcement and national security. The public expect police forces to use all powers and tactics available to them to prevent and detect crime or disorder and maintain public safety, regardless of who the individual may be.

The prevention and detection of crime is the foundation upon which policing is built and the threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. The current UK threat level from international terrorism, based on intelligence, is assessed as substantial which means that a terrorist attack is likely.

In order to counter criminal and terrorist behaviour, it is vital that the police have the ability to work together, where necessary covertly, to obtain intelligence within current legislative

frameworks to assist in the investigative process to ensure the successful arrest and prosecution of offenders who commit or plan to commit acts of terrorism or safeguard those who are vulnerable to being drawn into any criminal activity.

To achieve this goal, it is vitally important that information sharing takes place between police officers, members of the public, police forces as well as other law enforcement bodies within the United Kingdom. Such action would support counter terrorism measures in the fight to deprive terrorist networks of their ability to commit crime.

The impact of providing information, if held, under FOI, which aids in identifying whether or not Gloucestershire Constabulary monitors its employees and refers them where necessary to Prevent, would provide those intent on committing criminal or terrorists acts with valuable information as to where the police are targeting their investigations.

In addition, to confirm or deny whether information is held in this case would likely undermine the flow of information (intelligence) received from members of the public into the Police Service relating to these types of offenders, thereby undermining National Security and leaving the United Kingdom at risk of more terrorist attacks.

Disclosure of information, if held, specifically where data is sought on the reason for a referral, could lead to distrust and a lack of confidence in the police that its officers or staff were biased and unwilling to aid or favoured certain sectors of the community.

Public Interest Test

Factors favouring confirmation or denial for S24 - The public are entitled to know how public funds are spent and resources distributed within an area of policing, particularly with regard to how the police investigate terrorist offending. To confirm whether or not information exists would enable the general public to hold Gloucestershire Constabulary to account in relation to how they gather intelligence when monitoring their employees as part of the Prevent programme.

Furthermore, confirming or denying may improve public debate and assist the community to take steps to protect themselves.

Factors against confirmation or denial for S24 - Taking into account the current security climate within the United Kingdom, no information 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.

The public entrust the Police Service to make appropriate decisions with regard to their safety and protection. The only way of reducing risk is to be cautious with what is placed into the public domain.

If this information was held and disclosed, and it was to highlight that a particular force is more acceptable to the indoctrination of extremist ideology, this information could be used by terrorists to significantly affect the national infrastructure by targeting their attacks/extremist ideology.

Factors favouring confirmation or denial for S30 – Confirming or denying whether information exists relevant to this request would lead to a better informed general public by identifying that the Gloucestershire Constabulary robustly investigates all individuals, even their own officers. This fact alone may encourage individuals to provide intelligence in

order to assist with investigations and would also promote public trust in providing transparency and demonstrating openness and accountability into where the police are currently focusing their investigations.

The public are also entitled to know how public funds are spent.

Factors against confirmation or denial for S30 – Modern-day policing is intelligence led. To confirm or not whether Gloucestershire Constabulary has investigated any staff within the organisation, which has resulted in referrals to the Prevent program, could hinder the prevention and detection of crime. An ongoing investigation may be affected by making an individual aware of whether they are being investigated.

Factors favouring confirmation or denial for S31 – Data is published on a national level regarding Prevent referrals and for Gloucestershire Constabulary to demonstrate openness and transparency, this favours confirmation of whether or not data is held relating to its officers.

Factors against confirmation or denial for S31 – The Gloucestershire Constabulary has a duty of care to the community at large and public safety is of paramount importance. If an FOI disclosure revealed information to the world (by citing an exemption or stating no information held) that would assist an offender, it would undermine the security of the national infrastructure by revealing our 'intelligence' thereby highlighting vulnerabilities force by force. A member of staff would become aware and edit their behaviour so as not to draw attention to their beliefs or activities.

To confirm that the requested information is held could be used as a comparison across all forces, if similar requests were made under FOIA. This could be used to identify which Forces had a lower or higher level of officers who had been referred and an assumption could be made of a greater importance being placed within each Force in identifying individuals and taking appropriate steps through a Prevent referral.

This could impact on police resources because any disclosure of data, if held, could lead to some force areas being deemed to be 'softer' at managing this threat, and an officer could transfer to one of these areas in order to continue their operations and possibly then target vulnerable individuals.

By its very nature, by confirming or denying this information is held would undermine the effective delivery of operational law enforcement. Under FOI there is a requirement to comply with s1(1)(a) and confirm what information is held. In some cases, it is that confirmation, or not, which could disclose facts harmful to members of the public and police officers or other law enforcement agencies.

Overall Balance Test

The points above highlight the merits of confirming, or denying, whether information pertinent to this request exists. The security of the country is of paramount importance and 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, various operations with other law enforcement bodies may or may not be ongoing. The Police Service will never divulge whether or not information is held if to do so would place the safety of individual(s) at risk or undermine National Security.

Whilst there is a public interest in appropriately and effectively engaging with the threat from criminals and terrorists, there is a very strong public interest in safeguarding National Security. As much as there is a public interest in knowing that policing activity is appropriate and balanced in matters of National Security, this will only be overridden in exceptional circumstances.

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 any information that is released. Confirming or denying whether information is or isn't held would definitely reveal policing activity and would assist those intent on causing harm. Any incident that results from confirmation or denial would, by default, affect National Security.

The Gloucestershire Constabulary will not divulge information if it is likely that it will compromise the work of the Police Service or place members of the public at risk. It is known that terrorist cells will try to radicalise individuals so that they believe in their ideology in order to encourage them to commit acts of terror. Disclosure of the requested information would highlight which forces may have officers or staff who are more susceptible to radicalisation and how each force tackles this within their communities. This will adversely affect the Gloucestershire Constabulary ability to detect this type of crime as it may alter the behaviours of those preying on vulnerable individuals. This in itself could put the individual's life at risk along with that of National Security.

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.

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary