



Your reference:

Our reference: FOI_0119

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 26/03/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0119

On 29/01/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

- 1) How many intelligence logs in total were created in 2023 by Gloucestershire Constabulary?
- 2) Of these logs, how many are linked to financial investigation or POCA enquiries in 2023 by Gloucestershire Constabulary?
- 3) How many intelligence logs were submitted by the Dedicated Source Handling Team (DSHU/CHIS tactic) in 2023 by Gloucestershire Constabulary?
- 4) Of the logs submitted by the DSHU, how many relate to financial investigation or POCA enquiries in 2023 by Gloucestershire Constabulary?

Police Forces in the United Kingdom are routinely required to provide statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons the figures given relate to information from the specific recording system of Gloucestershire Constabulary and should not be used for comparison purposes with any other response you receive.

Please note that our systems are designed to record information for policing purposes and the investigation of crime and not to extract statistical information. Accordingly whilst we endeavour to extract relevant data within the time limits of the Act, any data supplied is subject to these limitations.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b)

is to disclose information that has been confirmed as being held. Where exemptions are relied upon s17 of FOIA requires that we provide the applicant with a notice which: a) states that fact b) specifies the exemption(s) in question and c) states (if that would not otherwise be apparent) why the exemption applies.

Q1 – 30,907

Q2-4 –

Gloucestershire Constabulary can neither confirm nor deny that it holds any information in relation to systems used for intelligence purposes as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

Section 24(2) National Security

Section 30(3) Investigations and proceedings conducted by public bodies

Section 31(3) Law enforcement;

With regard Section 30, this is a qualified exemption and I am obliged therefore to consider the public interest in neither confirming nor denying that information is held.

Section 24 and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm that would be caused in confirming or not that the information is held as well as carrying out a public interest test.

Harm in confirming or denying whether information is held for Section 24 and Section 31

Modern-day policing is intelligence led, and intelligence changes on a day-by-day basis. Disclosures under the Freedom of Information Act are disclosures to the world, not just to the individual making the request.

Any response that has the potential to undermine ongoing and future operations to protect the security of the United Kingdom would significantly increase the risk of harm to the community at large.

Providing any notice that confirms or denies the existence of specific police intelligence would make these security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infrastructure of the UK and increase the risk of harm to the public.

Public interest test

Factors favouring confirmation or denial for S24 –

Providing confirmation or denial as to the category of intelligence that might be recorded by the police service to effectively safeguard matters of national security would improve public confidence in the work of the police and reassure them that the services and information available to the police are appropriate.

This would thereby help facilitate an informed public debate on how information of the nature requested is held and shared.

Factors against confirmation or denial for S24 –

If Gloucestershire Constabulary were to confirm or deny that such information was or was not held, we would prejudice the Government's ability to maintain national security. It is not in the public interest to disclose the capabilities of the police service and other UK authorities (including bodies listed at section 23(3) of the Act) and the intelligence held that they may or may not use to safeguard the country. This would allow determined individuals the ability, over time, to identify which public authorities hold certain types of national security information and which do not, thereby allowing inferences to be drawn (some of which may be incorrect) about what authorities or bodies might have an interest in certain matters of national security.

Factors favouring confirmation or denial for S30 –

To confirm whether or not there is any information relevant to your request would satisfy the public need to know how intelligence is handled by the Constabulary.

Factors against confirmation or denial for S30 –

By confirming or not that information is held, would disclose what facts may or may not exist in relation to an ongoing investigation. If doing so would harm that investigation, denying justice to the victims or jeopardising an investigation from reaching a satisfactory conclusion then it would not be in the public interest to do so.

Factors favouring confirmation or denial for S31 –

By confirming or denying whether any information is held the public would see where public funds are being spent. Better public awareness may reduce crime or lead to more information from the public.

Factors against confirmation or denial for S31 –

By confirming or denying whether any information is held, law enforcement tactics would be compromised which would hinder the prevention and detection of crime. More crime would be committed and individuals would be placed at risk, which would impact on police resources.

Any response that has the potential to undermine ongoing and future operations to protect the security of the United Kingdom would significantly increase the risk of harm to the community at large. Such actions would obviously not be in the best interest of the public.

Providing any notice that confirms or denies the existence of specific policing intelligence would make these security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infrastructure of the UK and increase the risk of harm to the public which also would be something that would not be in the best interest of the general public.

Balance test

Whilst there is a public interest in providing reassurance that the Police Service are appropriately and effectively holding information of this nature, there is a stronger public interest in safeguarding national security.

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The reduction and detection of crime is of paramount importance and the Police service will not divulge whether information is or is not held if to do so would compromise law enforcement. Whilst there is a public interest in the transparency of policing and how information is handled, providing assurance that the

police service is appropriately and effectively allocating resources, there is a very strong public interest in safeguarding the integrity of police intelligence and how it is handled.

It is therefore our opinion that for these issues the balancing test for confirming or denying that information is held is not made out.

No inference can be drawn from these facts that any further information does or does not exist.

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