



Your reference: n/a

Our reference: FOI_24_0355

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 26/04/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0355

On 28/03/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to you under the Freedom of Information Act 2000 to request the following information:

1. Do you currently employ live video streaming technology within your Police Force for operational purposes? If so, in what contexts or situations is it utilized?
2. What specific platforms or systems do you use for live video streaming?
3. Are there any plans for expanding or enhancing the use of live video streaming technology in the future? If so, what are they, and what considerations are being taken into account?
4. Who is the key contact within the Police Force who deals with the Live Video Streaming Technology? (Name, Position and Email).

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds no relevant information relating to overt use of such technology.

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.

With regard to any potential covert use of such technology Gloucestershire Constabulary can neither confirm nor deny that information is held relevant to your request 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 31(3) Law enforcement;

Both of the above exemptions are qualified and prejudice-based and therefore there is the requirement to evidence the harm and public interest test in either confirming or denying information is held.

Evidence of Harm

Confirming or denying that any other information is held regarding the use of live streaming technology would cause operational harm and affect the police's ability to fulfil their core function of law enforcement in the future. Confirming or denying whether or not any other information is held would allow members of the public to identify the resources and tactics used in sensitive policing operations, some of which may be covert. It would enable individuals and organisations, including serious and organised crime groups and terrorists to identify specific capabilities, strengths and weaknesses of individual forces, undermining operational law enforcement which ultimately results in harm to members of the public.

Confirming or denying any other information is held about the use or planned use of live video streaming would likely lead to an increase of harm to covert investigations and compromise law enforcement. This would be to the detriment of providing an efficient policing service and a failure in providing a duty of care to all members of the public.

The threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. Since 2006, the UK Government has published the threat level based upon current intelligence, and that threat is currently judged as "[SUBSTANTIAL](#)", meaning that an attack on the UK is likely. It is well established that police forces use tactics and technology to gain intelligence in order to counteract criminal behaviour, and it has been previously documented in the media that many terrorist incidents have been thwarted due to intelligence gained by these means.

Confirming or denying whether any other information is held about the use of live streaming technology would limit operational capabilities as criminals/terrorists would gain a greater understanding of the police's methods and techniques, enabling offenders to take steps to counter them. It may also suggest the limitations of police capabilities in this area, which may further encourage criminal/terrorist activity by exposing potential vulnerabilities.

This detrimental effect is increased if the request is made to several different law enforcement bodies. In addition to the local criminal fraternity now being better informed, those intent on disrupting policing functions throughout the UK will be able to 'map' where the use of certain tactics may or may not be deployed. This can be useful information to those committing (or those intent on committing or planning) crime.

Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on both National Security and Law Enforcement.

Public Interest Test

Factors favouring Confirming or Denying for Section 24

Any other information, if held, only relates to national security and confirming or denying whether it is held would not actually harm it. The public are entitled to know what public funds are spent on and what measures are in place. By confirming or denying any other information is held would lead to a better informed public.

Factors against Confirming or Denying for Section 24

By confirming or denying whether any other information is held would render policing and security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infra-structure of the UK and increase the risk of harm to the public.

Factors favouring Neither Confirming or Denying for Section 31

Confirming or denying whether any other information is held regarding the use or potential use of live streaming technologies, would provide an insight into the Police Service. This would enable the public to have a better understanding of the effectiveness of the police and about how the police gather intelligence. It would greatly assist in the quality and accuracy of public debate, which could otherwise be steeped in rumour and speculation. Where public funds are being spent, there is a public interest in accountability and justifying the use of public money.

Factors against Confirming or Denying for Section 31

Confirming or denying that any other information is held regarding the use or potential use of live streaming technologies would have the effect of compromising law enforcement tactics. It has been recorded that FOIA releases are monitored by criminals and terrorists and so to confirm or deny any other information is held concerning live streaming would lead to law enforcement being undermined. The Police Service is reliant upon all manner of techniques during operations and the public release of any modus operandi employed, if held, would prejudice the ability of the Police Service to perform the core functions it has a duty to provide.

Balancing test:

The security of the country is of paramount importance and the police will not divulge whether any other information is or is not held regarding live streaming technology, if to do so would place the safety of individuals at risk, undermine National Security or compromise law enforcement.

Whilst there is a public interest in the transparency of policing operations and providing assurance that the police are appropriately and effectively engaging with the threat posed by various groups or individuals, there is a very strong public interest in safeguarding the integrity of police investigations and all areas of operations carried out by police forces throughout the UK.

As much as there is public interest in knowing that policing activity is appropriate and balanced this will only be overridden in exceptional circumstances. The use of technology can be a sensitive issue that would reveal police tactics and therefore it is our opinion that for these issues the balancing test for confirming or denying whether any other information is held regarding the use or potential use of live streaming technology, is not made out.

This should not be taken as an indication any 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