

**Force Disclosure Unit**

Wiltshire Police HQ
London Road
Devizes
Wiltshire
SN10 2DN
Tel 101 ext. 62005

www.wiltshire.police.uk

disclosure@wiltshire.police.uk

Date: 9th June 2021

Your Ref: FOI

Our Ref: FOI 2021/431

Reply contact name is: Kay Moore

Dear,

I write in connection with your request for information dated 11th May 2021, concerning arrests under anti-terrorism laws.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

- 1.) How many arrests under anti-terrorism laws did the force make each year between 2015- most current data available.
- 2.) If possible please provide breakdown of nature of suspected terror offence (eg right wing extremism, Islamist terrorism).

Our response:

Wiltshire Police can neither confirm nor deny that it holds information relating to this request by virtue of the following exemptions:

Section 24(2) – National Security
Section 31(3) – Law Enforcement

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

Overall Harm:

INVESTOR IN PEOPLE

As you may be aware, disclosure under the FOIA is a release to the public at large. Whilst not questioning the motives of the applicant, confirming or denying that any information is held by Forces would show areas of Police vulnerability.

The public expect Police Forces and other law enforcement agencies to use all powers and tactics available to prevent and detect crime or disorder and maintain public safety. Law enforcement tactics would be compromised which would hinder the prevention or detection of crime if Wiltshire Police were to confirm or deny if this information is held. This would impact on Police resources and individuals would be placed at risk.

Public Interest Considerations:

Section 24(2) – National Security

Factors Favouring Confirmation or Denial –

The public are entitled to know how public funds are spent and resources distributed within policing as a whole. To confirm whether any information exists around terrorism related arrests would inform the public that Wiltshire Police allocate their resources appropriately. In the current climate of cuts and with the call for transparency of public spending this would enable improved public debate and give further reassurance to the public.

Factors Against Confirmation or Denial –

Security measures are put in place to protect the community that we serve. If Wiltshire Police were to confirm or deny if this information is held, this would allow terrorists and individuals intent on carrying out criminal behaviour, to identify areas of the country with increased/reduced terrorist activity, which potentially will assist them with avoiding detection. This would ultimately increase the risk of harm to the general public and significantly undermine any ongoing or future operations to protect the security or infrastructure of the United Kingdom and increase the risk of harm to the public.

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 regards to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

The cumulative effect of terrorists gathering information from various sources would be even more impactful when linked to other information gathered from various sources about terrorism. The more information disclosed over time will give a more detailed account of the tactical infrastructure of not only a Force area but also the country as a whole. Any incident that results from such a disclosure would by default, affect National Security.

To confirm or deny if information of this nature is held would render national 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.

Section 31(3) – Law Enforcement

Factors Favouring Confirmation or Denial –

Confirming or denying if information is held in relation to terrorist related arrests would lead to better public awareness into the intricacies of how operational policing is conducted. This may lead

to more information (intelligence) being submitted from the public which may culminate in a reduction of crime.

Factors Against Confirmation or Denial –

Confirming or denying if this information is held would compromise the effective delivery of operational law enforcement. It could allow terrorists and individuals intent on carrying out criminal behaviour, to identify areas of the country with increased/reduced terrorist activity, which could hinder the prevention and detection of future crime. This would lead to more crime being committed and would undoubtedly place individuals at risk.

Balance Test:

The points above highlight the merits of confirming or denying whether any 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, 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.

At this moment in time, it is our opinion that for these issues outlined above, the balance test favours neither confirming nor denying that information relevant to your request is held. No inference can be taken from this refusal that this information does or does not exist.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 24(2) – National Security
Section 31(3) – Law Enforcement

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Kay Moore
Force Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005



Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:
Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original Fol request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700

Fax: 01625 524 510

Email: mail@ico.gsi.gov.uk

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish to contact them, please visit <https://ico.org.uk/global/contact-us/>