

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext. 62005

www.wiltshire.police.ukdisclosure@wiltshire.police.uk

Date: 31 March 2022

Our ref: FOI 2022/187

Reply contact name is: Lloyd Tilbury

Dear,

I write in connection with your request for information dated 20th February 2022.

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 able to respond as follows.

You wrote

Various posts on social media show a large police presences in Broughton Gifford on 19th February 2022, therefore could you please answer the follow question about the policing of the event.

How many police staff were deployed for this event? If possible please state their ranks.

How many evidence gatherers were deployed for this event?

How many police vehicles were deployed for this event?

How many of these police vehicles were unmarked?

What was the cost of policing this event?

I note that you neither confirm nor deny whether you hold this information because to do so would result in prejudice to law enforcement activities. No two policing operations or events are the same. Nothing can be taken how police responded to one event to how they may respond to a future event. It has already been noted via people at the scene, and posts on social media there was a significant police response. The amount of police staff and vehicles deployed can be worked by what was witnessed, all the requested information does is confirm this.

The number of unmarked police vehicles can hardly contribute to what the police call the "mosaic effect" - the idea that pieces of information can be fitted together to form a bigger picture - because there would have been dozens of vehicles at this event. All it confirms is that there was a covert presence.

The public have a right to know, what is been policed and how much it is costing the public. If the Constabulary are unable to calculate the cost, then amount of the police staff deployed and their rank helps provides figures where by an estimate can be determined.



INVESTOR IN PEOPLE

Response

On reviewing your original request, the response provided to you and your request for an Internal Review, I do not uphold all of the original response provided to you.

Question One

Three Police Staff – All LCIs

Question Two

Two

Question Three

13 Vehicles

Question Four

No Information Held

In respect of Questions One, Two and Three, Wiltshire Police can neither confirm nor deny that any further 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 31(3) – Law Enforcement

Section 38(2) – Health and Safety

Overall Harm in Confirming or Denying whether Information is Held

Any disclosure under the Freedom of Information Act is a release to the world, not just the requester. Confirming or denying that any further additional information relating to covert personnel or vehicles is held would show criminals what the capacity, tactical abilities and capabilities of the force are, allowing them to target specific areas of the UK to conduct their criminal activities. Confirming or denying any additional information is held regarding the specific circumstances in which the Police Service may or may not deploy the use of either covert personnel or vehicles would lead to an increase of harm to covert operations 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 criminals cannot be ignored. The UK continues to face a sustained threat from violent extremists as well as criminals. It is well established that police forces use covert tactics and surveillance to gain intelligence to counteract criminal or extremist behaviour. It has been previously documented in the media that many criminal and extremist incidents have been thwarted due to intelligence gained by these means.

Confirming or denying whether any other information is or isn't held relating to the covert use of personnel or vehicles would limit operational capabilities as criminals and extremists 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 these areas, which may further encourage criminal/extremist 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 organised crime throughout the UK will be able to 'map' where the use of certain tactics are or are not deployed. This can be useful information to those committing crimes. It would also have the likelihood of identifying location-specific operations which would ultimately compromise police tactics, operations and future prosecutions as criminals could counteract the measures used against them.

Any information identifying the focus of policing activity could be used to the advantage of extremists or criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on Law Enforcement.

Public Interest Test

Factors Favouring Confirming or Denying for Sections 31(3) and 38(2)

The public are entitled to know what public funds are spent on and what security measures are in place, and by confirming or denying whether any other information regarding the covert use of personnel and vehicles is held would lead to a better-informed public. This would provide an insight into Wiltshire Police and enable the public to have a better understanding of the effectiveness of the police and about how the police gather intelligence. It would also 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 will always have a public interest as to hold Wiltshire Police to account and justify the use of public money.

Factors Favouring Neither Confirming or Denying for Sections 31(3) and 38(2)

By confirming or denying whether any other information is held regarding the covert use of personnel and vehicles would render law enforcement measures less effective. This would lead to the compromise of ongoing or future operations to protect law and order and increase the risk of harm to the public. In addition, confirming or denying what methods are used to gather intelligence for an investigation would prejudice that investigation and any possible future proceedings.

It has been recorded that Freedom of Information releases are monitored by both criminals and extremists and so to confirm or deny any other information is held would lead to law enforcement being undermined and run the risk of increasing harm to the public.

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 conduct similar investigations.

By confirming or denying whether any other information is held in relation to the use of covert personnel and vehicles would hinder the prevention and detection of crime. Wiltshire Police will not reveal what tactics may or may not have been used to gain intelligence as this would clearly undermine the law enforcement and investigative process. This would impact on police resources and more criminal and extremist incidents would be committed, placing individuals at risk. It can be argued that there are significant risks associated with providing information, if held, in relation to any aspect of investigations or policing so confirming or denying that any information is held, may reveal the relative vulnerability of what we may be trying to protect.

Balance Test

Overall, the Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve.

Because of this, Wiltshire Police will not divulge whether any information is or is not held regarding the covert use of personnel or vehicles, if to do so would place the safety of an individual at risk or compromise law enforcement.

Whilst there is a public interest in the transparency of policing operations and providing assurance that Wiltshire Police is 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 a public interest in knowing that policing activity is appropriate and balanced, this will only be overridden in exceptional circumstances, which this Freedom of Information request is not. Therefore, at this moment in time, it is my opinion that for the issues listed above the balance test for confirming or denying that any additional information is held is not made out.

No inference from this response that any additional information is or is not held should be made.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

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

Yours sincerely,

Lloyd Tilbury
Principal 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 FoI 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 you contact them, please visit <https://ico.org.uk/global/contact-us/>