

WILTSHIRE POLICE



XXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 27th January 2026

Our Ref FOI 2025-1180

Dear XXXXX,

I write in connection with your request for information dated 22nd December 2025, concerning Palestine Action arrests and charges.

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:

In light of your response, I would like to refine my request to the following (the refinement is highlighted in bold):

Please provide information on the number of arrests and charges **under the Terrorism Act** against members of Palestine Action carried out by your force in 2025, separated into before and after the date of their proscription (5th July 2025).

Our response:

Under the Freedom of Information Act 2000 (FOIA), Wiltshire Police can neither confirm nor deny whether any information is held by virtue of the following exemptions:

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

Sections 24 and 31 are both prejudice-based, qualified exemptions and therefore require Wiltshire Police to establish the harm in disclosure, and the public interest for and against disclosure. Please see below.

- Section 40(5) - Personal data

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This is because confirmation or denial of the information requested would constitute personal data and as a result, would contravene the first Data Protection Principle, which states in part to process personal data fairly and lawfully.

No inference can be taken from this refusal that the information you have requested does or does not exist.

Section 40 is an absolute exemption and therefore there is no requirement to articulate the harm or conduct a Public Interest test.

Overall Harm

Confirming or denying whether Wiltshire Police holds any information relevant to this request would risk providing an advantage to individuals seeking to undermine policing strategies, particularly those designed to safeguard national security. Disclosure under FOIA constitutes a release to the public at large; therefore, any acknowledgement of information held could be misused, potentially compromising sensitive operations. Furthermore, confirmation or denial could, through process of elimination, assist those intent on disrupting police activity by enabling them to infer whether specific individuals have been subject to investigative tactics or surveillance.

Any information identifying the focus of policing activity could be exploited by terrorists, extremists, or criminal organisations. Whether information is or is not held, disclosure would adversely affect public safety and compromise both national security and law enforcement.

Confirming or denying the existence of information would be highly advantageous to individuals engaged in criminal activity, as it could reveal which persons or organisations are subject to police monitoring, allowing them to infer whether they have evaded detection. Such disclosure could also facilitate "mosaic requests," enabling malicious actors to piece together a broader picture of law enforcement interest and surveillance targets. Ultimately, this would undermine the effectiveness of police operations and compromise the ability to protect national security.

The prevention and detection of crime is fundamental to policing, and the threat from terrorism remains significant. The UK faces an ongoing risk from violent extremists, with the current national threat level set at "substantial", meaning a terrorist attack is likely. In light of these circumstances, confirming or denying whether Wiltshire Police holds any relevant information would be counterproductive to safeguarding national security and could increase the risk of crime if a consistent NCND approach is not maintained.

FOIA is considered a release to the world; once published, Wiltshire Police has no control over how the information is used. While the applicant's motives are not questioned, such information could assist those seeking to disrupt police investigations by enabling them to identify the level of policing activity and tactics employed. This could necessitate a full review of police methods, increasing costs to the public purse. These investigative tools have been tried and tested over many years and remain largely unchanged.

Confirming or denying whether information is held may therefore compromise the efficiency of policing services and our duty of care to the public, as well as negatively impact ongoing investigations.

Public Interest Test

Section 24

Factors favouring confirming or denying that any other information is held

Confirming or denying whether the requested information is held could promote transparency regarding national security arrangements. It would allow the public to understand how resources

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are allocated and provide reassurance that appropriate measures are in place to protect the country. This openness could strengthen public confidence in the effectiveness of security strategies.

Factors against confirmation or denying that any other information is held

Disclosure of any policing arrangements of this nature would render security measures less effective. Confirming or denying the existence of information could compromise ongoing or future operations designed to protect the UK's infrastructure and public safety. This would increase the risk of harm to the public and necessitate a full review of security measures, incurring additional costs to the public purse.

Section 31

Factors favouring confirming or denying that any other information is held

Confirming or denying whether Wiltshire Police holds the requested information could demonstrate accountability and openness in policing operations. It would reinforce public confidence in the police service and its commitment to transparency, ensuring that the public understands how law enforcement engages with its responsibilities and allocates resources.

Factors against confirmation or denying that any other information is held

Confirming or denying whether Wiltshire Police holds records relating to specific individuals or groups could compromise law enforcement tactics, hindering the prevention and detection of crime. Many policing strategies are reused and have previously been observed by criminal groups, fixated individuals, and terrorist organisations. Exposure of these methods would necessitate costly revisions and weaken operational effectiveness. Criminal groups could exploit disclosed information, directly impacting Wiltshire Police resources and public safety. Furthermore, disclosure risks undermining collaborative law enforcement efforts, which are essential for managing complex and sensitive investigations.

Balance Test

The security of the country is paramount. Wiltshire Police will not confirm or deny whether information is held if doing so would undermine national security, law enforcement functions, or investigative processes. While transparency is important, the public interest in safeguarding the integrity of police operations and investigations in this sensitive area is significantly stronger.

Confirming or denying the existence of information could enable interested parties to gain insight into investigative strategies, jeopardising operations and potentially causing harm. Any disclosure that risks prejudicing law enforcement is therefore not in the public interest.

Accordingly, after weighing the competing interests, confirmation or denial of whether Wiltshire Police holds information relating to this request would not be in the public interest. This should not be taken as indicating whether such information exists.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide 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.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 24(2) - National Security
Section 31(3) - Law Enforcement
Section 40(5) - Personal Information

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,

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



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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/>

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