

Our Ref: 004621/17



Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

31 July 2017

Dear

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 09/06/2017.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

RESPONSE

I am conducting some research and would like to receive information about the number of terrorism-related plots that you were aware of/have foiled in your area across the time period of 2016. If you could specify the number of which are linked specifically to Islamic terrorism that would be appreciated, but if not, simply the number of plots will suffice.

Nottinghamshire Police can neither confirm nor deny, that it holds the information you requested, as the duty in s1(1)(a) of the Freedom of Information Act 2000 does not apply. By virtue of the following exemptions:

Section 23(5) – Information supplied by, or concerning, certain Security bodies

Section 24(2) – National Security

Section 30(3) – Investigations and proceedings conducted by public authorities

Section 31(3) – Law enforcement

Section 23 is an absolute exemption and as such no public interest test is required.

Sections 24 and 31 are qualified exemptions and as such there is a requirement to articulate the harm and conduct a test of the public interest in confirmation or denial.



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Section 30 is a class based qualified exemption and consideration must be given as to whether there is a public interest in neither confirming nor denying the information exists is the appropriate response.

Overall harm in Neither Confirming nor Denying

The threat from terrorism cannot be ignored. It should be recognised that the international security landscape is increasingly complex and unpredictable. The UK faces a sustained

threat from violent terrorists and extremists. Since 2006, the UK Government have published the threat level, based upon current intelligence and that threat has remained at the second highest level, 'severe', except for a few short periods during August 2006, June and July 2007 and May 2017, when it was raised to the highest threat, 'critical', and in July 2009, when it was reduced to 'substantial'. The current threat level to the UK is "severe".

The security of the country is of paramount importance and the Police will not divulge whether information is or is not held if to do so would place the safety of an individual at risk or undermine national security. Whilst there is a public interest in the transparency of policing operations and providing assurance that the police service is appropriately and effectively engaging with the threat posed by a terrorist attack, or disruption due to extremism, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in the highly sensitive areas of which they work.

Modern-day policing is intelligence led, and intelligence changes on a day-by-day basis. Confirming or denying whether any information is held relevant to the request would show where policing interest has or has not occurred in any specific area which would enable those engaged in criminal activity to identify the focus of policing targets. Any information identifying the focus of this activity could be used to the advantage of terrorists or criminal organisations to plan an attack on the more vulnerable parts of the UK. 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.

The Police service works in partnership with other agencies in order to combat issues such as terrorism and organised crime. Confirming or denying that information exists relevant to this request would seriously undermine this partnership approach. Tensions relating to the Islamic State and its activities are currently very high and confirming or denying whether any information is held relevant to this request would exacerbate the situation and jeopardise international relations.

Public Interest Test

Factors favouring confirmation or denial for Section 24

Confirmation or denial that any information exists relevant to the request would lead to a better informed public. The public are entitled to know how public funds are spent especially with regards to safeguarding national security

Factors against confirmation or denial for Section 24

By confirming or denying that any information exists relevant to the request would harm the close relationship that exists between the Police and other organisations who work in partnership in relation to this issue. To confirm or deny whether the force holds any information relevant to this request would allow inferences to be made about the nature and extent of national security related activities which may or may not take place in a given area. This would enable terrorists or organised criminal groups to take steps to counter intelligence, and as such, confirmation or denial would be damaging to national security.

By confirming or denying would lead to the compromise of on-going or future operations to protect the security or infrastructure of the UK and increase the risk of harm to the public.

Factors favouring confirmation or denial for Section 30

There is a public interest in the transparency of policing operations and providing assurance that the Police is appropriately and effectively dealing with crime. This is particularly pertinent in high profile situations where there is a high degree of media speculation.

Confirming or denying whether any information is held would allow the public to make informed decisions about these matters.

Factors against confirmation or denial for Section 30

Whilst there is a public interest in the transparency of policing operations and providing assurance that the Police are appropriately and effectively dealing with crime, there is a strong public interest in safeguarding the integrity of police investigations and operations and in maintaining confidence in the Police Service. Confirmation or denial that any information is held relevant to the request would undermine any investigative process and compromise the integrity of any operations.

Factors favouring confirmation or denial for Section 31

By confirming or denying whether any information is held in respect to this request would allow the public to see where public funds are being spent. Better public awareness may reduce crime or lead to more information from the public as they would be more observant in reporting suspicious activity.

Factors against confirmation or denial for Section 31

By confirming or denying whether information is held in respect of this request would compromise law enforcement tactics and hinder the prevention and detection of crime. This would result in more risk to the public and consequently require the use of more police resources.

Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security of the country is of paramount importance and the Police will not divulge whether information is or is not held if to do so would place the safety of an individual at risk, compromise law enforcement or undermine National Security.

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 from terrorists and criminals, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in this highly sensitive area.

To confirm or deny that information is held would identify considerable local level intelligence which would undermine local and national policing as well as national security.

This is very specific intelligence that relates to movements of individuals, suspected behaviour and views and those most likely to be deemed a security risk. There may also be covert operations on-going in relation to these individuals, which may also include assistance from the security bodies. Therefore to confirm or deny that any information is held would be harmful. We do not want to erode our national intelligence picture.

It is for these reasons that the Public Interest must favour neither confirming nor denying that the requested information is held. However, this should not be taken as necessarily indicating that any information that would meet your request does or does not exist.

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be

addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

Disclosure Officer

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk