

Our Ref: 004667/17



**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 12/06/2017.

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

**RESPONSE**

Please find below answers to your questions:-

***Since 1 April 2013 have any police officers and/or members of police staff employed by your force, during the course of their duties/roles/responsibilities, delivered counter-terrorism security advice to any museum or art gallery? Please answer 'Yes' or 'No'.***

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

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.

## **Overall Harm in Confirming or Denying that Information is held**

The threat of 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 level has remained at the second highest level 'severe', except for two short periods during August 2006 and June and July 2007, when it was raised to the highest threat 'critical' and July 2009, when it was reduced to 'substantial'. The current threat level to the UK is 'severe'.

The disclosure of the requested information would undermine individual forces policing capabilities which consequently would be detrimental to their ability to deal with the on-going terrorist threat we face. By providing whether Terrorism related advice had been provided to a particular type of establishment or organisation by an individual force would allow comparison between forces across the country and enable terrorists to build a picture of what resources are in place and where they are deployed or where potential threats have been identified. It is felt that the disclosure of this information would prejudice the effectiveness of the national counter terrorism effort and would allow inferences to be drawn about force level counter-terrorism activity and identify vulnerability around the country.

## **Public Interest Considerations**

### **Section 24(2) National Security**

#### **Factors favouring confirmation or denial for S24**

The public are entitled to know how public funds are spent and by confirming or denying that this information is held would allow the public to see where money is being spent and know that forces are doing as much as they can to combat terrorism.

#### **Factors favouring neither confirming or denying for S24**

The disclosure whether this information is or is not held would render security measures less effective which would compromise on-going or future operations to protect the security and infrastructure of the UK. The risk of harm to the public would be elevated if areas of the UK which appear vulnerable were identified which would also provide the opportunity for terrorist planning. On-going or future operations to protect the security and infrastructure of the UK would be compromised as terrorists could map the level of counter-terrorist activity across the country, thus providing them with the knowledge of individual force capability.

### **Section 31 – Law Enforcement**

#### **Factors favouring confirmation or denial for S31**

To confirm or deny that this information is held would make members of the public more aware of the threat of terrorism and allow them to take steps to

protect themselves and families. Improved public awareness may lead to more intelligence being submitted to police about possible acts of terrorism as members of the public will be more observant to suspicious activity which in turn may result in a reduction of crime. The Home Office regularly publish national statistical data on terrorism arrests.

#### Factors favouring neither confirming or denying of S31

To confirm or deny that the requested information is held could compromise law enforcement tactics which would hinder the Police force's ability to prevent and detect terrorist crimes. The threat of terrorism will increase as more crimes are committed as a result of terrorists gaining knowledge about the capabilities of individual forces and therefore the public will be placed at a greater risk. A fear of crime will be realised as terrorists identify vulnerable areas and target and exploit these areas resulting in the public being in fear of more terrorist activity occurring. There would be an impact on police resources from confirming or denying that terrorism offences are being investigated by individual forces as forces may need to increase their resources to reassure and protect the surrounding community.

#### **Balance Test**

The Home Office regularly publishes data in relation to terrorism offences and arrests. I have supplied the link to the information supplied by the Home Office below:

<https://www.gov.uk/government/collections/counter-terrorism-statistics>

To confirm or deny whether specific terrorism advice had been provided to particular organisations breaks down the terrorism data to a refined force level which would start to indicate levels of policing activity at force level which could allow individuals to exploit what may be considered as less active or resourced areas, by assessing patterns of police activity and deployments over time, ultimately to avoid detection.

The security of the country is of paramount importance. The police will not divulge any information that would place the safety of an individual at risk or undermine national security. Whilst there is a public interest in the transparency of policing, and in this case providing assurance that the police service is appropriately and effectively engaging with the threat posed by terrorist activity, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in the highly sensitive subject of terrorism.

As much as there is a public interest in knowing that policing activity is appropriate and balanced in matters of national security this will be overridden in exceptional circumstances. Police force's capabilities of combating terrorism are sensitive issues of intelligence value to the terrorist and therefore it is our opinion that for these issues the balancing test for confirming or denying that this information is held, is not made out.

However, this should not be taken as necessarily indicating that any information that would meet your request exists 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](mailto: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](mailto: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](mailto:casework@ico.org.uk)