

Our Ref: 001487/15



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

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

26 March 2015

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 03/03/2015.

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

Please find below answers to your questions:-

Could you please provide me with details of any terror threats received by the force against its staff and/or police property/properties in 2014 (calendar year)?

(incidents that were subsequently referred to the force's terrorism unit)

Please include the date, a description of the threat, what happened and, where possible, the outcome in terms of arrests etc.

(If this request exceeds the limits of the act, please let me know at the earliest possible opportunity so we can discuss how to adapt it suitably)

RESPONSE

Nottinghamshire Police can neither confirm nor deny that it holds any information in respect of your request by virtue of Sections 23, 24, 30 and 31.

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



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Overall Harm for Section 24 and Section 31

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'.

To confirm or deny that any of the requested information is held 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 disclosing the number of terror threats received by the force, the nature of those threats and whether any arrests were made, would allow for a comparison between forces across the country and enable terrorists to build a picture of what resources are in place and where they are deployed. In addition the disclosure of the information, could suggest the level of resourcing a force has, as it may be deduced that a high number of attacks/threats equals a high level of resources. 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.

Factors favouring confirmation or denial for S24

The public are entitled to know how public funds are spent and by disclosing this information the public would be able to see where money is being spent and know that forces are doing as much as they can to combat terrorism.

Factors against confirmation or denial for S24

By confirming or denying that terrorist threats are known about or are under investigation 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, providing them with the knowledge of individual force capability.

Factors favouring confirmation or denial for S30 – On-going investigations would be high-profile or national and the public are entitled to know how public funds are spent. By confirming or denying that terrorists are being monitored or terrorist threats are being investigated, would force closure and proceedings to be completed.

Factors against confirmation or denial for S30 – By confirming or denying that terrorists are under investigation, the force's future investigative capabilities would be affected which would hinder the prevention or detection of crime.

This would impact on police resources and more crime would be committed, placing individuals at risk.

Factors favouring disclosure for S31

The disclosure of the information 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 non-disclosure of S31

The disclosure of this information 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. In addition confirmation that a police force has received terror threats may lead the public to feel insecure about their safety concerning terrorism which may result in them taking matters into their own hands if they suspect a person of terrorist activity. There would be an impact on police resources from the disclosure of information relating to terrorist threats and arrests, as vulnerable forces may need to increase their resources to reassure and protect the community.

Balance Test

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 disclosing the requested information is not made out.

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