

Our Ref: 006504/14



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

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

14 October 2014

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 14/10/2014.

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

Please find below answers to your questions:-

I was wondering if you could forward me on a copy of the letter that the police issued to local pubs, supermarkets, off licences informing them about the match and providing additional crime prevention information. Again you can exclude any information that you class as personal and or sensitive

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

Nottinghamshire police are unable to provide an un-redacted copy of this letter requested as this information would be exempt under by virtue of Section 31(1)(a)(b), Law Enforcement, of the Freedom of Information Act 2000.

31(1)(a)(b) is a prejudice based qualified exemption which requires the prejudice (harm) to be evidenced and a public interest test to be carried out.



Upon completion of this process I am then required to ascertain where the balance in compliance with both my duty to confirm or deny that information exists and/or in disclosure of any relevant information lies. Please see below.

31. – (1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –

- a) the prevention or detection of crime
- b) the apprehension or prosecution of offenders

Overall Harm for Section 31(1)(a)(b)

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. In order to achieve these objectives police forces rely on communication technology to receive intelligence reports and for command and control purposes. Often telephone numbers are not placed in the public domain so as to allow communication between the police and their stake holders. The Policing of major sporting events is reliant upon good intelligence and this has to be communicated to and from the control rooms unhindered from normal communication that passes between the police and public.

The release of data relating to control room telephone numbers and other communication systems that are specifically used for control purposes would allow anyone to call into the system and engage it for long periods of time. This would compromise the Police's ability to deal quickly with situations as they develop.

The prevention and detection of crime is the foundation upon which policing is built and the Police Service has a clear responsibility to prevent crime, arrest those responsible for committing crime or those that plan to commit crime. There is also a duty of care to the public at large and to disclose information which could assist criminals has potential to undermine the operational integrity of operations and will adversely affect public safety.

Public Interest Considerations

Section 31

Considerations favouring disclosure

One of the underlying principles of the Freedom of Information Act is the need for authorities to be more open and transparent. In this case, to disclose information relating to communication arrangements relating to policing sporting events would reassure the community that the Police were constantly exploring all possible avenues to work towards the prevention or detection of

crime; the apprehension or prosecution of offenders and also to protect the public.

Considerations favouring non-disclosure

Disclosure of the information may enable individuals or criminal organisations to identify communication systems that could be used to aid them in the commission of offences or evading detection. It is well reported that organised elements within the supporters of football clubs plan times and locations to meet and become involved in anti-social behaviour that can lead to serious public order situations and serious assaults. Availability of non-public phone numbers could enable such an organised group to stop or delay intelligence reports to and from the police by engaging the system with unwarranted calls. Information of this sort would be valuable to them in evading preventative policing. The public are able to contact the police by using a variety of methods available 24/7. The non-disclosure of control room phone numbers will not have any adverse effect on being able to contact the police.

Balance Test

The Police Service will not divulge information if to do so would prejudice National Security, place the safety of any individual at risk or undermine the rule of law and order. Whilst there is a public interest in the transparency of policing operations, and in this case, how a force receives and uses intelligence, there is a very strong public interest in safeguarding the operational integrity of the police in this highly sensitive area, as a breach of this will adversely affect public safety and have a negative impact on both national security and law enforcement. Knowing that the delivery of law enforcement is appropriate and balanced will only be overridden in exceptional circumstances. It is our opinion that for these issues the balancing test for disclosure is not made out.

This letter constitutes a refusal notice under Section 17(1) of the Freedom of Information Act 2000 with Section 31(1)(a)(b) being applied.

The document with suitably redactions removing telephone numbers is attached to this communication.

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 – Paul Jeffery

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



5th September 2014

County Division Licensing Team
Mansfield Police Station
Great Central Road
Mansfield
Nottinghamshire
NG18 2HQ

Tel 101
Ext 805 3204

Dear DPS / Manager

**ADVICE NOTICE FOR THE FORTHCOMING FOOTBALL MATCH FIXTURE
NOTTINGHAM FOREST v DERBY COUNTY
SUNDAY 14TH SEPTEMBER 2014 - KICK OFF 1:15PM**

Nottinghamshire Police wish to advise you of the above forthcoming fixture

This fixture is also being televised live on "Sky television"

Derby County have an element of supporters who historically have followed the team and either before or after the game become involved, on occasions, in incidents of disorder.

To address the situation there will be a police presence during the day both in the vicinity of the ground, in Nottingham City Centre and surrounding areas that are a direct route to the ground.

It is anticipated that approximately 2,000 Derby County supporters will travel to Nottingham by coaches, cars, minibuses, taxis and train.

Historically, a number of these supporters have stopped off at licensed premises en route to the ground and it is highly likely that this will occur in this instance.

The purpose of this letter is to forewarn you of the above and for you to consider the following before, during and after the match :

- The use of door supervisors in order to strengthen your managerial qualities, bearing in mind that all such door supervisors must be registered by the Security Industry Authority;
- The use of plastic bottles and drinking vessels;
- The removal of all material from outside of your premises which may be used as missiles, tables, chairs ashtrays etc;

- The use of your Pubwatch radio to keep in touch with other premises.
- Pubwatch radios for West Bridgford will be monitored by the Police and Football Club.

For those that have CCTV systems installed, please check that they are in full working order and are retaining the recorded images.

If you do have groups of people gathering in your premises before, during or after the match who are unknown to you and who you think may be football supporters, please notify the police by dialling 101. Also please bear in mind that people of particular interest to us do not always wear colours.

If you require further advice on the day please do not hesitate to contacting the police on any of the numbers detailed below

Match Day Control [REDACTED]

FOIA Section 31
Law Enforcement

Police Non Emergency Dial 101

Police Licensing Officer Paul Horton [REDACTED]

FOIA Section 31
Law Enforcement

If you require the police in an emergency you should telephone 999

It is of course hoped that the match results in a trouble free day and the police actions will act as a deterrent to would-be trouble makers. The police will of course deploy resources to any potential trouble spots as soon as possible.

Yours faithfully

Paul Horton
Licensing Enforcement Officer

Licensing Team
County Division
Nottinghamshire Police