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Information Rights
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Our Ref: FOI2018/07039

Dear Requestor

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/07039

I write in connection with your request for information received on 6th December. I note you seek access to the following information:

Can you please tell me the number of drugs gangs most recently assessed as operating within your force area?

How many organised crime groups are most recently recorded as operating in the area? Of these, how many are associated with the trafficking and sale of illegal drugs?

Can you tell me how many individuals are believed to be associated with these gangs/groups?

Lastly, how many county lines operations have most recently been assessed as operating within your force areas?

Clarification - Bedfordshire Police does not have a flag for gangs within our crime recording system, therefore we would have to manually read through every drug related crime to search to see if gang is mentioned within the text. This would take within excess of the 18 hour limit as we hold thousands of records. Please can I ask you to refine your request?

Some forces are able to supply us with the number of drugs gangs in their area. I am not sure whether that is because of a flag in their recording system or whether they went to the unit that deal with gangs and asked for the latest assessment.

The alternative question I asked was about numbers of OCGs and whether these can be broken down further.

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Response – Bedfordshire Police neither confirms nor denies that it holds information as the duty in Section 1(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
Section 31(3) Law Enforcement

The Section 23 exemption is a class based absolute exemption. This means that the legislators have identified that there would be harm in disclosure and there is no need to evidence this or carry out a public interest test.

The Section 24 exemption is a prejudice based qualified exemption which requires the prejudice (harm) to be evidenced and a public interest test to be carried out.

The Section 30 exemption is a class based qualified exemption. This means that the legislators when writing the legislation considered that the release of such information under the Freedom of Information Act 2000 would cause harm to the public authority or individual concerned. There is therefore no requirement to carry out a HARM Test in respect of

such information. However there is a requirement to carry out a Public Interest Test in order to establish whether the public interest in maintaining the exemption may be outweighed by a wider public benefit in disclosure.

The Section 32 exemption is a prejudice based qualified exemption which requires the prejudice (harm) to be evidenced and a public interest test to be carried out.

Overall harm

Although every effort should be made to release information under the Freedom of Information Act, to confirm or deny whether information is or isn't held relating to the monitoring of county lines at a force level could not only undermine ongoing investigations, but also the National Security.

Whilst there is a public interest in the transparency of policing, providing assurance that the Police Service is appropriately and effectively engaging with the threat from criminals, this should be countered against the need to protect vulnerable areas, and ongoing Policing operational activity.

The security of the country is of paramount importance and the Bedfordshire Police will not divulge whether information is or is not held if to do so would 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 offenders involved in county lines 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 areas of which they work.

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 and identify vulnerable parts of the UK.

Public Interest Considerations:

Factors favouring confirmation or denial - 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 - Section 24

Other organisations outside the Police Service may, or may not, have an active interest in the subject of the question above. By confirming or denying that any information exists relevant to the request would harm the close relationship that exists between the Bedfordshire Police and other organisations. To confirm or deny whether the force hold any information relevant to the 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 criminal groups to take steps to counter intelligence, and as such, confirmation or denial would be damaging to National Security.

By confirming or denying any policing arrangements of this nature would render national security measures less effective. This would lead to the compromise of ongoing 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 – Section 31

Confirming or denying whether any further information is held would allow the public to see where public funds have been spent and allow the Police service to appear more open and transparent.

Factors favouring neither confirming or denying – Section 31

To confirm or deny that law enforcement holds this information could compromise law enforcement tactics which would lead to a hindrance on the Police Force's ability to prevent and detect crimes. Vulnerable areas could be identified by force level disclosure leading to more criminal activity placing the public in harm's way. If information is released confirming or denying that requests have been made this may impact police resources as vulnerable forces may need to increase their resources to reassure the public and protect the surrounding community.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for confirmation or denial that information is held is not made out.

No inference can be taken from this refusal that any other information does or does not exist.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

Geneen Bill
Information Rights

Bedfordshire Police provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Bedfordshire Police if you

are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.