



Our Ref: 000363/21

Your Ref:

Address Correspondence to: Information Management

Date 04 March 2021

Freedom of Information Act 2000

I write further to your request for information received 01/02/2021.

I note you seek access to the following information:

Can I please request the below information broken down annually for the following years - 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011.

1. *How many times was a hard stop performed by your force?*
2. *Can this data be broken-down by ethnicity of the person the hard stop was carried out against? If so can this please be included.*
3. *Of the total number of hard stops carried, how many resulted or contributed to the death of the person the hard stop was carried out against?*
4. *In the last ten years has a review of hard stops been carried out by your force? If so when and what was the outcome?*

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

The Leicestershire Police Service 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;

This should not be taken as conclusive evidence that any information that would meet your request exists or does not exist.

Sections 24(2), and 31(3) are qualified and require us to carry out a harm and public interest balancing test before they can be relied upon.

Overall harm for the NCND

To confirm whether or not Leicestershire Police Force have carried out such stops as part of planned operations, would undermine operations by revealing tactical capability and intelligence within this area. The prevention and detection of crime is the foundation upon which policing is built. The Police Service has a clear responsibility to prevent crime and arrest those responsible for committing crime or

those that plan to commit crime. By confirming whether or not such stops have been made in a planned tactical capacity, could directly influence the stages of that process, jeopardise current investigations and prejudice future law enforcement.

The threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. Since 2006, the UK Government has published the threat level, based upon current intelligence and that threat is currently categorised as 'substantial', see below link:

<https://www.mi5.gov.uk/threat-levels>

The UK continues to face a sustained threat from violent extremists and terrorists. In order to counter criminal and terrorist behaviour it is vital that the police have the ability to work together, where necessary covertly, to obtain intelligence within current legislative frameworks to assist in the investigative process to ensure the successful arrest and prosecution of offenders who commit or plan to commit acts of terrorism.

To achieve this goal, it is vitally important that information sharing takes place between police officers, members of the public, police forces as well as other security law enforcement bodies within the United Kingdom. Such an action supports counter-terrorism measures in the fight to deprive terrorist networks of their ability to commit crime.

To confirm or deny whether any other information is held would be extremely useful to those involved in terrorist activity as it would enable them to identify whether specific covert investigations have taken place and where. Any disclosure no matter how generic which may assist a terrorist or terrorist organisation, will adversely affect public safety.

Public Interest Considerations

Factors favouring confirmation or denial for S24

The public are entitled to know how public funds are spent and resources distributed within an area of policing. To confirm whether information exists relating to a specific types of investigations, which may include those intent on disrupting the national infrastructure, would enable the public to hold the force to account.

Factors against confirmation or denial for S24

Security measures are put in place to protect the community that we serve. To confirm any detail relating to stops that may or may not have taken place would highlight to terrorists and individuals intent on carrying out criminal behaviour, policing capability which may include covert policing activity. This would ultimately increase the risk of harm to the general public and significantly undermine any ongoing or future operations to protect the security or infrastructure of the United Kingdom.

Taking into account the current security climate within the United Kingdom, no information (such as the citing of an exemption which confirms information pertinent to this request is held, or conversely, stating 'no information is held') which may aid a terrorist should be disclosed. To what extent this information may aid a terrorist is unknown, but it is clear that it will have an impact on a force's ability to monitor terrorist activity.

Irrespective of what information is or isn't held, the public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

The cumulative effect of terrorists gathering information from various sources would be even more impactful when linked to other information. The more information disclosed over time will give a more detailed account of the tactical infrastructure of not only a force area but also the country as a whole. Any incident that results from such a disclosure would by default affect National Security.

To confirm or deny whether Leicestershire Police Force hold any information 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 could enable terrorist groups to take steps to avoid detection, and as such, confirmation or denial would be damaging to national security.

Factors favouring confirmation or denial for S31

By confirming or denying whether specific tactics are used, would lead to better public awareness identifying that the force undertakes all avenues of investigative processes in order to tackle crime. This fact may lead to more information (intelligence) being submitted from the public which may culminate in a reduction of crime.

Factors against confirmation or denial for S31

The Police Service would never confirm whether or not it uses a particular tactical capability as part of specific investigative activity if to do so would disclose information to the detriment of operational law enforcement, as evidenced within the harm.

Balance test

The security of the country is of paramount importance and the Police service will not divulge whether information is or is not held if to do so could undermine National Security or compromise law enforcement. Whilst there is a public interest in the transparency of policing operations and in this case providing assurance that the police service is appropriately and effectively engaging with the threat posed by the criminal fraternity, there is a very strong public interest in safeguarding both national security and the integrity of police operations in this area.

As much as there is public interest in knowing that policing activity is appropriate and balanced in matters of national security this will only be overridden in exceptional circumstances. Therefore it is our opinion that for these issues the balancing test for confirming or denying whether any information relevant to your request exists is not made out.

None of the above can be viewed as an inference that any other information does or does not exist.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer
Leicestershire Police

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