



Our Ref: 000791/21

Your Ref:

Address Correspondence to: Information Management

Date 20 April 2021

Freedom of Information Act 2000

I write further to your request for information received 09/03/2021.

I am writing to you under the Freedom of Information Act 2000 in order to request information regarding the utilisation of special constables at East Midlands Airport . Please may I request the following information:

- *In 2017/18/19/20 how many Special Constables did you have in your entire force?*
- *In 2017/18/19/20 how many Special Constables were based at East Midlands Airport*
- *In 2017/18/19/20 what is the total number of hours of duties conducted by Special Constables at East Midlands Airport*
- *How many Police Officers (regular officers, to include all ranks and departments) were based at East Midlands Airport on a permanent basis in 2017/18/19/20?*
- *In 2017/18/19/20 what was the total cost of airport policing (i.e., the total figure paid to Leicestershire Police by East Midlands Airport.*

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

Your request for information has now been considered and the information asked for is as follows: -

1. • In 2017/18/19/20 how many Special Constables did you have in your entire force?

– This information can be found via the [Police Workforce Statistics](#) published by the Home Office.

Therefore, in this instance a Section 21 exemption applies – **Information reasonably accessible by other means**

2. • In 2017/18/19/20 how many Special Constables were based at East Midlands Airport

3. • In 2017/18/19/20 what is the total number of hours of duties conducted by Special Constables at East Midlands Airport

This information is not collated and not retrievable in any electronic format.

This would invoke a Section 12 exemption.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

To provide this information it would be necessary to manually check the individual records of all officers who were stationed at East Midlands Airport for the time specified and what hours they worked.

In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer some of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

4. • How many Police Officers (regular officers, to include all ranks and departments) were based at East Midlands Airport on a permanent basis in 2017/18/19/20?

To disclose how many officers served at East Midlands Airport during the specified time may provide those whose intention it is to cause harm with valuable intelligence on how the police operate, and the resources that enables them to do so. This would compromise our law enforcement functions by hindering our ability to detect crime and apprehend an offender. In addition, disclosure would have an

adverse effect on national security at a major airport and render security measures less effective. As such sections 31(1)(a) and 24(1) of the Act are engaged

Section 24 - National Security

Section 31 - Law Enforcement

In considering whether or not Leicestershire Police should release the information requested I have considered the potential harm that could be caused by such a disclosure.

A Freedom of Information Act request is not just provided to the applicant. Both the request itself, and any information disclosed, are considered suitable for open publication to the 'whole world'. This is because, under the Act, any information disclosed is released into the wider public domain, effectively to the world, not just to an individual. Whilst not questioning the motives of the applicant, providing information as to how many officers serve East Midlands Airport would reveal to those who seek to cause harm to members of the public an awareness of the level of capacity within that Command, and their capabilities.

The threat from 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, as set by the security service (MI5) based upon current intelligence. With the current threat level to the UK given as 'substantial'.

In consideration of the ramifications of these threat levels, it would not be wise to release details of the number of officers that serve East Midlands Airport as to do so could possibly compromise the current or future law enforcement role of this Force. Modern-day policing is intelligence led and information of this nature, needs to be treated with extreme sensitivity as it could have a detrimental effect on the operational effectiveness of the Force. There are significant risks associated with the release of such information as this may provide those seeking to commit criminal acts with an advantage over Police Forces, as the information can indeed be viewed as operational 'intelligence' and operationally sensitive. Disclosure could have a negative effect on Leicestershire Police ability to provide the necessary service required should the release of information be used and manipulated by those who are intent on carrying out criminal/terrorist activities. To disclose the requested information would therefore provide them with an opportunity of disrupting police activity.

This could be to the detriment of providing an efficient policing service and a failure in providing a duty of care to all members of the public and might require Leicestershire Police to actually have to increase the amount of officers available to them thus increasing the cost to the public purse.

As stated the UK faces a serious and sustained threat from violent extremists and this threat is greater in scale and ambition than any of the terrorist threats in the past. Therefore, to release information held would allow interested parties to gain an upper hand and awareness of policing decisions used to safeguard national security. National security encompasses a wide spectrum and it is our duty to protect the people within the UK and abroad. Public safety is of paramount importance to the policing purpose and must be taken into account in deciding whether to disclose information. By providing details relating to a specific resources could potentially be misused proving detrimental to national security.

In the current environment of an increased threat of terrorist activity, providing any details that could assist an extremist, terrorist faction or fixated individual who have the relevant time and know-how, would put people's lives at risk.

The security of the country is of paramount importance and the Police Service will not divulge information if to do so would place the safety of the public at risk, undermine National Security or law enforcement. 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 the integrity of police operations in the highly sensitive area of terrorism and extremism.

As much as there is a public interest in knowing that policing activity is appropriate and balanced this will only be overridden in exceptional circumstances. Any disclosure of information relating to the Leicestershire Police capabilities in a specialist area would undermine our ability to combat terrorism, which are sensitive issues of intelligence of value to a terrorist. Therefore, it is our opinion that for this reason the balancing test favours non-disclosure of the requested information.

5. • In 2017/18/19/20 what was the total cost of airport policing (i.e., the total figure paid to Leicestershire Police by East Midlands Airport.

2017/18 - £725,000.00
2018/19 - £875,000.00
2019/20 - £1,005,000.00

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.

Freedom of Information Officer
Leicestershire Police

Leicestershire Police in complying with their statutory duty under sections 1 and 11 of the Freedom of Information Act 2000 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 Information Manager, Leicestershire Police Headquarters, St. Johns, Enderby, Leicester LE19 2BX.