



Our Ref: 001078/21

Your Ref:

Address Correspondence to: Information Management

Date 21 April 2021

Freedom of Information Act 2000

I write further to your request for information received 29/03/2021.

I note you seek access to the following information:

I kindly request the following information in accordance with the freedom of information Act 2000, with regard to your forces purchases of body armour.

QUESTIONS

1. *Who is/are your current supplier/s?*
2. *When does the contract end?*
3. *How long was the contract term?*
4. *When will the new procurement process start?*
5. *What is the current level of protection?*
6. *What is the current unit price per vest?*
7. *What was the total value of the contract award?*
8. *How many units of body armour have been purchased during the contract term?*

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: -

Leicestershire Police have published information relating to this contract on the below link:

<https://www.blpd.gov.uk/foi/foicontractview.aspx?contractid=31885>

Information relating to the minimum level of protection deemed acceptable on a National level is published here:

<https://www.gov.uk/government/publications/home-office-body-armour-standard-2017#history>

Any further detail regarding the level of protection is considered exempt.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire Constabulary, 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 relate to your request are as follows:

- Section 24 (1) – National Security
- Section 31 – Law Enforcement
- Section 38 - Health and Safety

These exemptions are prejudice based, qualified exemptions and there is a requirement to articulate the harm that would be caused as well as carrying out a public interest test.

Evidence of Overall Harm

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate.

However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over the police.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure.

Effective policing requires the active participation of a wide number of agencies in order for it to be successful. As a result the protection afforded by body armour is discussed Nationally in order to ensure the safety of operational Officers and Staff.

If information relating to the standard of protection afforded by stab vest currently being utilised by Leicestershire Police then this would allow those minded to commit criminal activity or hind the Police information which could allow any perceived weaknesses or lack thereof to be exploited.

This would without a doubt have an impact on National Security and our ability to carry out effective law enforcement. Furthermore there is a potential that the health and safety of Officers and Staff may be put at risk.

Public Interest Test

The public interest is not what interests the public, but what will be of greater good if released to the community as a whole. It is not in the public interest to disclose information that may compromise Leicestershire Police's ability to fulfil its core functions.

Section 24 – Considerations favouring disclosure

The public are entitled to know how public funds are spent and by providing the detailed information relevant to the request could lead to a better-informed public that can take steps to protect themselves.

Section 24 – Considerations favouring non-disclosure

By providing the information relevant to the request Security measures could be rendered less effective. This could lead to the compromise of ongoing or future operations to protect the security or infra-structure of the UK and increase the risk of harm to the public.

Section 31 – Considerations favouring disclosure

There is a public interest in disclosure of the requested information as it would allow the public to discuss the Force's spending of public money and the protection afforded to operational Officers and Staff. It would also aid transparency and allow any failings to be discussed in the public domain.

Section 31 – Considerations favouring non - disclosure

I am of the opinion that it is not in the public interest to disclose sensitive information that relates to the specific protection provided to Leicestershire Police's operational Officers and Staff. The information requested contains a wealth of information that if disclosed, would reveal police tactics along with other information which is vital to Law Enforcement.

If this was released into the public domain, it would allow those like minded to commit crime to have a knowledge of any ways in which they could impede Leicestershire Police's future law enforcement capabilities.

Application of Section 38 – Health and Safety

I now turn to the application of Section 38 to your request. This exemption states that the information is applied where disclosure of information would, or would be likely to endanger:

- The physical or mental health of any individual ;
- Or the safety of an individual

Section 38 - Considerations favouring disclosure

It could be argued that the public should be provided this information in order to discuss the protection afforded and provided to Police in the public domain. This would allow for effective discussion relating to the protection Officers are provided and that is deemed necessary.

Section 38 Considerations favouring non-disclosure

To disclose the information requested it would cause unnecessary risk to operational Officers and staff. Although the fundamental role of the Freedom of Information Act 2000 is to facilitate disclosure, the interests of the affected parties will always be of paramount importance especially with regards to the effect disclosure would have on their physical and mental health.

On this occasion I am satisfied that harm would occur and it would not be in Leicestershire Police's interest, or the public's interest for disclosure to occur on this occasion.

Conclusion

I believe that on balance it is **not** in the public interest to release the further information which you have requested on this occasion for the reasons stated above. I appreciate that this is not the decision you had hoped for but I must consider the wider position under the Freedom of Information Act 2000 which I feel necessitates the need to refuse your request under this legislation.

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

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.

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