



Our Ref: 001082/21

Your Ref:

Address Correspondence to: Information Management

Date 27 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:

1. *How many raids have been carried out during the calendar year 2020 in relation to counter-terrorism?*
2. *How many arrests have come from these aforementioned raids during the aforementioned time period?*
3. *How many arrests have led to charges from these aforementioned raids during the aforementioned time period?*
4. *How many convictions have there been from these aforementioned raids during the aforementioned time period?*
5. *What is the ethnicity breakdown of people whose homes have been raided in relation to counter-terrorism during the calendar year 2020?*

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 23(5) Information relating to the Security bodies;
- Section 24(2) National Security;
- Section 30(3) Investigations;
- 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.

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest in this case. Confirming or denying whether any information is held would contravene the constrictions laid out within Section 23 of the Freedom of Information Act 2000 in that this stipulates a generic bar on disclosure of any information supplied by, or concerning, certain Security Bodies.

Section 30 is a class based qualified exemption and consideration of the public interest must be given as to whether neither confirming nor denying that information exists is the appropriate response.

With Sections 24 and 31 being prejudice based qualified exemptions there is a requirement to articulate the harm that would be caused in confirming or not whether information is held as well as carrying out a public interest test.

Overall harm for the NCND

In considering whether or not this information should be disclosed, I have considered the potential harm that could be caused by disclosure.

A Freedom of Information Act request is not a private transaction. Both the request itself, and any information disclosed, are considered suitable for open publication, and as such is a release to the public at large. Whilst not questioning the motives of the applicant, confirming or denying whether Leicestershire Police has undertaken any 'raids' in relation to counter terrorism offences and any resultant arrests, charges or convictions would provide valuable intelligence to terrorists and/or extremists on suspected CT activity by a specific police force.

Modern day policing is intelligence led and this is particularly pertinent with regard to both law enforcement and national security. The public expect police forces to use all powers and tactics available to them to prevent and detect crime or disorder and maintain public safety.

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, based upon current intelligence and that threat has remained at the second highest level, 'severe', except for two short periods during August 2006 and June and July 2007, when it was raised to the highest threat, 'critical', and in July 2009, when it was reduced to 'substantial'. The current threat level to the UK is 'substantial'.

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

To confirm or deny that information is held would undermine an individual force's policing capabilities, which consequently would be detrimental to their ability to deal with the on-going terrorist threat we face. By confirming that Leicestershire Police had undertaken any 'raids' of the nature described and to then provide data resulting from this, would allow comparison between forces across the country and enable terrorists to build a picture of what resources are in place and where they are deployed. It is felt that confirmation or denial that this information is held would prejudice the effectiveness of the national counter terrorism effort and would allow inferences to be drawn about force level counter-terrorism activity and identify vulnerability around the country.

Public Interest Test

Factors favouring confirmation or denial for S24

The public are entitled to know how public funds are spent and by confirming or denying that this information is held would allow the public to see where money is being spent and know that forces are doing as much as they can to combat terrorism.

Factors against confirmation or denial for S24

To confirm or deny that policing arrangements of this nature existed would render security measures less effective. The risk of harm to the public would be elevated if areas of the UK which appear vulnerable were identified, which would also provide the opportunity for terrorist planning. Ongoing or future operations to protect the security and infrastructure of the UK would be compromised as terrorists could map the level of counter-terrorist activity across the country, providing them with the knowledge of individual force capability as well as valuable knowledge concerning the vulnerability of individual force areas.

Factors favouring confirmation or denial for S30

A statement confirming or denying whether or not information is held in regards to 'raids' for terrorism-related offences and resulting arrests, charges and convictions, would enhance the transparency and accountability of the force and its operations. This would provide an insight into the police service and enable the public to have better understanding of effectiveness of the police, particularly, in relation to the spending of public funds and the decisions taken by officers. This may also enhance public confidence in the police as they would have demonstrated their commitment to fighting terrorism on a global scale.

If we confirmed or denied that information were held this would allow the public to make informed decisions about how police gather intelligence. This would greatly assist in the quality and accuracy of public debate, which would otherwise likely be steeped in rumour and speculation.

Factors against confirmation or denial for S30

Whilst there is a public interest in the transparency of policing operations and providing assurance that Leicestershire Police is appropriately and effectively dealing with terrorist activity, there is a strong public interest in safeguarding the integrity of police investigations and operations and in maintaining confidence in the Police Service.

To confirm or deny that this information is held would disclose police practices used, thereby exposing operational procedures and investigative protocols. Information relating to investigative tactics and protocol will rarely be disclosed under the Act and only where there is a strong public interest consideration favouring disclosure.

To confirm or deny that this level of policing activity has or has not occurred in any specific area would enable those engaged in criminal or terrorist activity to identify the focus of policing activity and any tactics that may or may not be deployed. This would ultimately hinder the prevention or detection of crime by undermining any investigative process and compromising the integrity of any operations.

To confirm or deny the existence of such information would also reveal policing tactics regarding who was of interest to the police generally. 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. Confirmation or denial that information is held may hinder and undermine the partnership approach to law enforcement in this complex area.

Factors favouring confirmation or denial for S31

By confirming or denying that information is held would allow the public to understand that the police are robust in investigating and prosecuting terrorism-related activity. To confirm or deny whether Leicestershire Police has conducted any counter terrorism raids in 2020, would enable the public to have a better understanding of efficiency of the force in carrying out their law enforcement role.

To confirm or deny that this information is held would make members of the public more aware of the threat of terrorism and allow them to take steps to protect themselves and families. Improved public awareness may lead to more intelligence being submitted to police about possible acts of terrorism, as members of the public will be more observant to suspicious activity, which in turn may result in a reduction of crime. The Home Office regularly publish national statistical data on terrorism.

Factors against confirmation or denial for S31

To confirm or deny that the requested information is held could compromise law enforcement tactics which would hinder the Police force's ability to prevent and detect terrorist crimes. The threat of terrorism will increase as more crimes are committed as a result of terrorists gaining knowledge about the capabilities of individual forces and therefore the public will be placed at a greater risk. A fear of crime will be realised, as terrorists identify areas to be less police focused and therefore vulnerable and target and exploit these areas, resulting in the public being in fear of more terrorist activity occurring. Alternatively, terrorists may deem that any confirmation where arrest and charging data was high could lead them to moving their cells to other areas in order to continue their operations and avoid detection.

There would be an impact on police resources from confirming or denying that Leicestershire Police has conducted any 'raids' in relation to counter terrorism in 2020, as vulnerable forces may need to increase their resources to reassure and protect the surrounding community.

Balance test

The Home Office regularly publishes data in relation to terrorism arrests and charges. I have supplied the link to the information supplied by the Home Office below.

<https://www.gov.uk/government/collections/counter-terrorism-statistics>

The security of the country is of paramount importance and the police will not divulge any information, if held, that would place the safety of an individual at risk or undermine national security. 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 both national security and the integrity of police investigations and operations in the highly sensitive subject of terrorism.

To confirm or deny whether Leicestershire Police has undertaken any counter terrorism raids in 2020 which have resulted in arrests or charges, would start to indicate levels of policing activity at force level, which could allow individuals to exploit what may be considered as less active or resourced areas, by assessing patterns of police activity and deployments over time, ultimately to avoid detection. Disclosure of information, if held, would be a reveal of the intelligence picture concerning suspected terrorist activity, thereby undermining the operational integrity of police activities. This will adversely affect public safety and have a negative impact on our law enforcement functions for current and future investigations, which will therefore undermine the safeguarding of national security.

As much as there is a public interest in knowing that policing activity is appropriate and balanced in matters of national security this will be overridden in exceptional

circumstances. Police force's capabilities of combating terrorism are sensitive issues of intelligence value to the terrorist and therefore it is our opinion that for these issues the balancing test for confirming or denying that this information is held, 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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