



Our Ref: 002261/21

Your Ref:

Address Correspondence to: Information Management

Date 06 August 2021

Freedom of Information Act 2000

I write further to your request for information received 01/07/2021.

I note you seek access to the following information:

1. *Has the police force partnered with Ring, Amazon's camera system?*
2. *Was the police force or were any officers provided with free and/or discounted Ring devices in 2021 (up to and including June 30th)? If so, how many of these were distributed to members of the public?*
3. *How many requests for videos were sent by the police force to/via Ring in 2021 (up to and including June 30th)?*
4. *How many requests for customer data and other information were sent by the police force to/via Ring in 2021 (up to and including June 30th)?*
5. *How many requests resulted in full or partial provision/disclosure in 2021 (up to and including June 30th)?*
6. *If possible, can you also provide a list and percentages of the types of cases the requests were related to in 2021 (up to and including June 30th)?*
7. *Was the police force or were any officers provided with free and/or discounted Ring devices in 2020? If so, how many of these were distributed to members of the public?*
8. *How many requests for videos were sent by the police force to/via Ring in 2020?*
9. *How many requests for customer data and other information were sent by the police force to/via Ring in 2020?*
10. *How many requests resulted in full or partial provision/disclosure in 2020?*
11. *If possible, can you also provide a list and percentages of the types of cases the requests were related to in 2020?*
12. *Was the police force or were any officers provided with free and/or discounted Ring devices in 2019? If so, how many of these were distributed to members of the public?*
13. *How many requests for videos were sent by the police force to/via Ring in 2019?*
14. *How many requests for customer data and other information were sent by the police force to/via Ring in 2019?*
15. *How many requests resulted in full or partial provision/disclosure in 2019?*
16. *If possible, can you also provide a list and percentages of the types of cases the requests were related to in 2019?*

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: -

Some information relating to Leicestershire Police's involvement with Ring can be found on multiple national newspaper websites.

The Leicestershire Police Service can neither confirm nor deny that it holds any further information relating to your request 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;
- Section 40(5) Personal Information;

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

These exemptions 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

Any disclosure under FOI is a release to the public at large. Whilst not questioning the motives of the applicant, confirming or denying that any other information relating to the covert practice of this surveillance technique would show criminals what the capacity, tactical abilities and capabilities of the force are, allowing them to target specific areas of the UK to conduct their criminal/terrorist activities. Confirming or denying the specific circumstances in which the Police Service may or may not deploy the use of this surveillance technique would lead to an increase of harm to covert investigations and compromise law enforcement. This would 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.

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 has remained at the second highest level - severe, except for two short periods during August 2006, June and July 2007, and more recently in May and June this year following the Manchester and London terrorist attacks, when it was raised to the highest threat, critical. The UK continues to face a sustained threat from violent extremists and terrorists and the current threat level is set at severe.

It is well established that police forces use covert tactics and surveillance to gain intelligence in order to counteract criminal behaviour. It has been previously documented in the media that many terrorist incidents have been thwarted due to intelligence gained by these means.

Factors favouring confirmation or denial for S24

The public are entitled to know how public funds are spent and by confirming or denying that any information relevant to the request exists could lead to a better-informed public that can take steps to protect themselves

Factors against confirmation or denial for S24

By confirming or denying that any information relevant to the request exists would render Security measures 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.

Factors favouring confirmation or denial for S31

By confirming or denying that any information relevant to the request exists, would enable the public to see where public funds are being spent. Better public awareness may reduce crime or lead to more information from the public.

Factors against confirmation or denial for S31

By confirming or denying that any information relevant to the request exists, law enforcement tactics could be compromised which could hinder the prevention and detection of crime. More crime could be committed and individuals placed at risk.

Section 40 (5) – Personal Information

(5)The duty to confirm or deny—

(b)does not arise in relation toinformation if or to the extent that either—

(i)the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles

In line with the Information Commissioners Guidance, any request of this legislation is considered to be applicant blind and we cannot therefore consider the motives behind the request. We have to treat such a disclosure as if it is being released to the world and assess each request accordingly.

In this case, you are asking for confirmation of whether named individuals have had involvement with the police. As a result I have to consider that you are requesting information that regardless of whether it exists, is considered to be personal data.

This is due to the fact that to even confirm or deny that information is held would be to release the personal data of individuals which would therefore breach the Data Protection Principles.

It must also be remembered that any information that the Police Service holds is given to us in the confidence that it would not be released into the public domain without a clear legal basis for doing so. As you can appreciate, public confidence would be reduced if members of the public were able to use the Freedom of Information Act to request data about any individuals who they believe have come into contact with the police. To provide the information on one occasion expresses a willingness to provide information on all occasions and it is for this reason that I can neither confirm nor deny that we hold any information of relevance to your request.

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 investigations and 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.

There is also no requirement to satisfy any public concern over the legality of police operations and the tactics we may or may not use. The force is already held to account by independent bodies such as The Office of the Surveillance Commissioner and The Interception of Communications Commissioners Office. These inspections assess each constabulary's compliance with the legislation and a full report is submitted to the Prime Minister and Scottish Ministers containing statistical information. Our accountability is therefore not enhanced by confirming or denying that any other information is held.

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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