

FREEDOM OF INFORMATION REQUEST – FOI 734

Questions:

What estimates or analysis does the OPCC hold relating or referring to the impact of "county lines" drug supply operations in your force area? Please provide copies of any such estimates/ analysis or a summary of the key statistics and findings. Please advise me on what other information your OPCC force holds relating or referring to "county lines" drugs supply operations.

Answer:

Avon and Somerset Police and Crime Commissioner (PCC) can neither confirm nor deny that the PCC's office holds any information relevant 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:

Exemptions Applied:

Section 23(5) – Information supplied by, or relating to, bodies dealing with security matters.

Section 24(2) – National security

Section 31(3) – Law enforcement

Section 23 is an absolute class-based exemption and there is no requirement to consider the public interest test.

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

Overall Harm

Although all efforts are made to release information under the Freedom of Information Act 2000, to confirm or deny whether information is or is not held regarding County Lines at a PCC's - and therefore Constabulary - level could not only undermine ongoing investigations, but also the National Security.

Whilst there is a public interest in transparency of policing, allowing assurances to be provided that the local Police Service – and therefore the PCC's office due to the PCC's strategic governance and oversight - is appropriately engaging with criminal threats, this should be countered against the need to protect vulnerable areas and ongoing policing operational activity.

The security of the country is of utmost importance and the PCC will not divulge whether information is or is not held if to do so would compromise national security. Whilst there is a public interest in the transparency of policing operations and providing assurance that the Police Service is appropriately and effectively engaging with the threat posed by County Lines 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 areas of which they work.

Confirming or denying whether any information is held in the PCC's office relevant to the request would show where policing interest has or has not occurred in any

specific area which would enable those engaged in criminal activity to identify the focus of policing targets and identify vulnerable parts of the U.K.

Factors favouring Confirmation or Denial – Section 24

Confirmation or denial that any information exists relevant to the request would lead to a better informed public. The public are entitled to know how public funds are spent, especially regarding safeguards to national security.

Factors against Confirmation or Denial – Section 24

Other organisations outside the PCC's office and Police Service may or may not have an active interest in the subject of the FOI request questions above. By confirming or denying that any information exists relevant to the request would harm the close relationship that exists between the PCC, Police and other organisations. To confirm or deny whether the PCC's office hold any information relevant to the request 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 would enable criminal groups to take steps to counter intelligence, and as such, confirmation or denial would be damaging to national security.

By confirming or denying any policing arrangements of this nature would render national security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infrastructure of the U.K. and increase the risk of harm to the public.

Factors favouring Confirmation or Denial – Section 31

Confirming or denying whether any further information is held would allow the public to see where public funds have been spent and allow the PCC's office - and Police Service - to appear more open and transparent.

Factors against Confirmation or Denial – Section 31

To confirm or deny that law enforcement holds this information could reduce the effectiveness of law enforcement tactics which would lead to a hindrance on the Constabulary's ability to prevent and detect crimes. Vulnerable areas could be detected by Police Force level disclosure, leading to more criminal activity, thus placing members of the public in harms way. If information is released by the PCC's office confirming or denying that requests have been made then this may impact policing resources as vulnerable Police Forces may need to increase their resources to reassure the public and protect the surrounding community.