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10th August 2018

Our Ref: FOI2018/03822, FOI2018/03819 and FOI2018/03828

**REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/03822, FOI2018/03819 and FOI2018/03828**

I write in connection with your request for information received on 13th July. I note you seek access to the following information:

**1. Has your force ever explored using the services of Meltwater (Media Intelligence and Social Monitoring)?**

If yes:

**a) What services did your force explore using Meltwater for?**

**2. Has your force ever had a contract for services with Meltwater?**

If yes:

**a) What was the purpose of those services?**

**b) How much did your force pay for this contract with Meltwater?**

**3. Has your force ever engaged with other media intelligence and social monitoring companies/professionals?**

If yes, please state:

**a) Names of companies/professionals**

**b) Purpose of engagement**

**c) Contract length where the engagement was contractual**

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

**Response** – Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire Constabulary neither confirms nor denies that it holds information as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions;

Section 31 (3) – Law Enforcement

Section 23 (5) – Information Supplied by, or Concerning, Certain Security Bodies

Section 24 (2) – National Security

The Section 24 and 31 are both qualified exemptions and as such there is a requirement to evidence any harm confirmation or denial that any other information is held as well as consider the public interest.

**Harm in complying with Section 1(1) (a)**

The definition of national security encompasses a wide spectrum and it is our duty to protect the people within the UK. Public safety is of paramount importance to the policing purpose and must be taken into account in deciding whether to disclose whether the information is or is not held. Furthermore, confirming if particular tactics are used and confirming policing methods which are not in the public domain may prejudice the use of this method by allowing criminals to adopt counter measures.

To confirm or deny whether we hold any further information, would allow interested parties to gain an upper hand and awareness of policing policy and decisions used to safeguard national security. To confirm or deny that any other information is held or provide details relating to what may or may not be held may 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 this would also impact upon any current investigation.

## **Public Interest Considerations**

### **Section 24**

#### **Factors favouring complying with Section 1 (1) (a)**

Confirming or denial that any other information exists relevant to the request would lead to a better informed public and the public are entitled to know how public funds are spent. The information simply relates to national security and disclosure would not actually harm it.

#### **Factors against complying with Section 1 (1) (a)**

To confirm or deny whether BCH hold any additional information would allow inferences to be made about the nature and extent of national security related activities which may or may not take place. This could enable terrorist groups to take steps to avoid detection, 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 infra-structure on the UK and increase the risk of harm to the public.

### **Section 31**

#### **Factors favouring complying with Section 1 (1) (a)**

Confirming or denying whether any further information is held would allow the public to see where public funds have been spent, and allow the Police service to appear more open and transparent.

#### **Factors against complying with Section 1 (1) (a)**

By confirming or denying whether any further information is held would mean that law enforcement tactics would be compromised which would hinder the prevention and detection of crime. Security arrangements and tactics are re-used and have been monitored by criminal groups, fixated individuals and terrorists. These security arrangements and tactics would need to be reviewed which would require more resources and would add to the cost to the public purse.

### **Balancing Test**

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security of the country is of paramount importance and the Police Service will not divulge whether any other information is or is not held if to do so would place the safety of an individual at risk or undermine National Security.

Whilst there is a public interest in the transparency of policing, providing assurance that the Police Service is appropriately and effectively engaging with the threat from criminals, there is a very strong public interest in safeguarding both National Security and the integrity of the police in knowing that policing activity is appropriate and balanced in matters of National Security; this will only be overridden in exceptional circumstances.

It is therefore our opinion that for these issues the balancing test for confirming or not that any other information is held, is not made out.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson  
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.