



James Hodson
Information Rights
Bedfordshire Police Headquarters,
Woburn Road, Kempston,
Bedford, MK43 9AX

Telephone: 01234 842547
Email: foi@herts.pnn.police.uk

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Our Ref: FOI2018/04078

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/04078

I write in connection with your request for information received on 25th July. I note you seek access to the following information:

- 1. How many homicides has your force recorded since July 1, 2017, which were/are related to "county lines" drug supply operations?**
- 2. How many violent crimes resulting in injury has your force recorded since July 1, 2017, which were/are related to "county lines" drug supply operations?**
- 3. What estimates or analysis has your force produced since Jan 1, 2016, relating or referring to the impact of "county lines" drug supply operations? 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 force holds relating or referring to "county lines" drugs supply operations.

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.

Following enquiries within the Constabulary please see our response below.

Response – 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 24 (2) National Security
Section 31 (3) Law Enforcement
Section 30 (3) Investigations

The Section 24 exemption is a prejudice based qualified exemption which requires the prejudice (harm) to be evidenced and a public interest test to be carried out.

The Section 31 exemption is a prejudice based qualified exemption which requires the prejudice (harm) to be evidenced and a public interest test to be carried out.

The Section 30 exemption is a class based qualified exemption. This means that the legislators when writing the legislation considered that the release of such information under the Freedom of Information Act 2000 would cause harm to the public authority or individual concerned. There is therefore no requirement to carry out a HARM Test in respect of such information. However there is a requirement to carry out a Public Interest Test in order to establish whether the public interest in maintaining the exemption may be outweighed by a wider public benefit in disclosure.

Overall harm

Although all efforts should be 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 force 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 Police Service 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 Hertfordshire Constabulary 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 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 UK.

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 Police Service may, or may not have an active interest in the subject of the question above. By confirming or denying that any information exists relevant to the request would harm the close relationship that exists between the forces and other organisations. To confirm or deny whether the force 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 UK 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 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 police forces ability to prevent and detect crimes. Vulnerable areas could be detected by force level disclosure leading to more criminal activity placing members of the public in harm's way. If information is released confirming or denying that requests have been made this may impact police resources as vulnerable forces may need to increase their resources to reassure the public and protect the surrounding community.

Factors favouring confirmation or denial – Section 30

Confirming or denying that any information exists relevant to this request would lead to a better informed public which may encourage individuals to provide intelligence in order to assist investigations and reduce crime.

Factors against confirmation or denial – Section 30

Confirmation or denial that information is held in regard to specific investigations would undermine any investigations in progress, especially if covert operations were in place. This would prejudice the force's ability to effectively investigate and as such law enforcement tactics would be compromised.

Balancing Test

The Police Service relies heavily on the public providing information to assist in criminal investigations and has a duty to protect and defend vulnerable individuals. The public has an expectation that any information they provide will be treated with confidence. Anything which places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service.

In addition, the effective delivery of operational law enforcement is of paramount importance to Hertfordshire Constabulary, so that through our duty to effectively investigate crime, we can ensure the apprehension or prosecution of offenders is maintained.

Therefore, at this moment in time, it is our opinion that for these issues the balance test for confirmation or denial that information is held is not made out.

No inference can be taken from this refusal that any other information does or does not exist.

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
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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.