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Our Ref: Hertfordshire FOI2017/01783, Cambridgeshire FOI2017/01775

### REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2017/01783 and FOI2017/01775

I write in connection with your request for information received on 19th December. I note you seek access to the following information from Hertfordshire Constabulary and Cambridgeshire Constabulary:

- 1 - How many people convicted of a Terrorist Act offence or terrorist-related offence are currently being monitored by your force as part of a multi-agency public protection arrangement (MAPPa).
- 2 - Of those, how many have moved from the address they are supposed to be living at in accordance with the MAPPa without informing your force?
- 3 - Of those who have been found to have moved from their designated address without informing you, how many were at Mappa Level 2.
- 4 - Of those who have been found to have moved from their designated address without informing you, how many were at Mappa Level 3.
- 5 - How long is it since each of these "missing" offenders was known to have been living at their designated address?
- 6 - Have the details of any of these "missing" offenders been passed to other police forces and if so how many?
- 7 - How many of the "missing" offenders are suspected to have left the UK?
- 8 - Is it possible for you to give me the details of any "missing" offenders such as name, age, details of convictions and a photograph.

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.

Hertfordshire Constabulary, Cambridgeshire Constabulary and Bedfordshire Police are a collaborated Information Management Department, and this response is behalf of all 3 forces.

**Response** – Hertfordshire Constabulary, Cambridgeshire Constabulary and Bedfordshire Police 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 23(5) Information supplied by, or concerning, certain security bodies
- Section 24(2) National Security
- Section 31(3) Law Enforcement Section 24(2)
- Section 40(5) Personal Information

Section 23 and Section 40 are class based absolute exemptions. This means that the legislators have identified that there would be harm in disclosure and there is no need to evidence this or carry out a public interest test.

Section 24 and Section 31 which are prejudice based qualified exemptions, which require the prejudice (harm) to be evidenced and a public interest test to be carried out.

#### **Prejudice (Harm) test – Section 24 and Section 31**

The threat of terrorism cannot be ignored. It should be recognised that the international security landscape is increasingly complex and unpredictable. The UK has faced 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 level has predominantly been set at the second highest level 'severe', which is also the current threat level.

To confirm or deny that the requested information is held would undermine individual forces policing capabilities which consequently would be detrimental to their ability to deal with the on-going terrorist threat we face.

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 where offenders are located locally and nationally.

## **Public Interest Test – Section 24 and Section 31**

### **Section 24**

#### **Factors in favour of compliance with Section 1(1)(a)**

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 compliance with Section 1(1)(a)**

To confirm or deny that this information is held would render security measures less effective which would compromise on-going or future operations to protect the security and infrastructure of the UK. The risk of harm to the public would be elevated if areas of the UK identified such individuals as per your request. On-going 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. Furthermore, valuable Intel will also be provided to the criminal fraternity providing the opportunity for terrorist planning.

### **Section 31**

#### **Factors in favour of compliance with Section 1(1)(a)**

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.

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

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. Law enforcement is effective when authorities work together and share Intel and such a disclosure will undermine the partnership approach to investigations.

The threat of terrorism will increase as more crimes are committed as a result of terrorists gaining operation knowledge of the force that will place the public at a greater risk. A fear of crime, if it is founded or not will be released, also increasing the chances of more victims and crime. There would be an impact on police resources from confirming or denying that arrests have been made, as vulnerable forces may need to increase their resources to reassure and protect the surrounding community.

#### **Balance Test**

After consideration of the factors of the public interest test carried out in relation to Section 24 and Section 31, they are clearly weighed in favour of neither confirming nor denying that information is held. As much as there is a public interest in knowing that policing activity is appropriate and balanced in matters of national security and law enforcement this will only be overridden in exceptional circumstances.

Police force's capabilities of combating terrorism are sensitive issues of intelligence and would be of value to the terrorist. Therefore it is not in the public interest to compromise the ability of the Constabulary to effectively dispose their duty as outlined above.

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

Yours sincerely

Sonia Chopra-Miah  
Information Rights

Hertfordshire Constabulary and Cambridgeshire Constabulary provide 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 and Cambridgeshire 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.