



Geneen Bill
Information Rights
Bedfordshire Police Headquarters,
Woburn Road, Kempston,
Bedford, MK43 9AX

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

14th September 2018

Our Ref: Beds FOI2018/04596 Cambs FOI2018/04605 Herts FOI2018/04597

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/04596

I write in connection with your request for information received on 16th August. I note you seek access to the following information:

- 1) Total number of firearms owned by your police force (if possible: broken down into type eg pistol, rifle, grenade launcher)**
- 2) Spend on new firearms acquired by your force over the past six years**
- 3) A breakdown of new firearms acquired by your force over the past six years.**

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 Force please see our response below.

Response – Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire Constabulary Armed Response Unit works together within a collaborated unit. Therefore this response is on behalf of all 3 forces.

- 1) Bedfordshire, Cambridgeshire and Hertfordshire Constabularies can confirm it holds information in relation to your request. However, I am not obliged to supply the information you have requested. Such information is exempt under the exemptions listed below.
- 2) The expenditure for the last 6 years is apportioned across the 3 forces, the figures are:

Beds - £7,650
Cambs - £6,670
Herts - £7,680

Any further information would come under the exemptions listed below.

- 3) Bedfordshire, Cambridgeshire and Hertfordshire Constabularies can confirm it holds information in relation to your request. However, I am not obliged to supply the information you have requested. Such information is exempt under the exemptions listed below.

Section 24(1) – National Security

Section 31(1)(a)(b) – Law Enforcement

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

Application of the prejudice test

I have determined that to disclose the level of detail being requested regarding BCH Spending on firearms and ammunition and the number of firearms held would prejudice the interests of the prevention and detection of crime.

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. In order to achieve these objectives we are allowed to use reasonable force when necessary to do so. In the ultimate circumstance this can include the use of lethal force but the rule of thumb is to use the minimum amount necessary to achieve the objective. In reality this equates to the use of the minimum amount of force required to overcome the violence, used or threatened, by those wishing to cause harm.

As part of this equation we also have to pay heed to the Human Rights Conventions, particularly Article 2 – The Right to Life. The law and regulations relating to the use of force are detailed within the Authorised Professional Practice (APP) document for Armed Policing, see below link:

<https://www.app.college.police.uk/app-content/armed-policing/?s=>

Armed Policing is a highly specialised area of firearms deployment and weapons training. It is an emotive subject under constant scrutiny and, by default, is always in the public eye. There is a long history of excellent practice nationally and Armed Policing is regarded as being at the forefront of firearms issues.

Revealing the exact number of firearms and the a breakdown of the firearms and ammunition purchased , i.e. details of the weaponry available to the police, is likely to influence the criminals who are prepared to resort to the use of extreme force in order to avoid detection and capture. By fully knowing police capabilities offenders will ensure they are armed to overcome the police response. This creates if you will an 'arms race' to the detriment of the criminals themselves, as the use of lethal weapons becomes more and more the only resolution option, and endangers both the public and officers themselves. This is best evidenced by the fact that the United Kingdom, even in these violent times, has been able to maintain a basically unarmed Police Service, with the resulting benefits this delivers when compared with other countries, such as America, where armed conflict resolution with law enforcement agencies depends on who has the most effective weapons.

The Police Service has a positive duty to protect the public from harm and the duty of care to all involved must be the overriding consideration.

Furthermore, the threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. The current UK threat level from international terrorism, based on intelligence, is assessed as Severe, which means that a terrorist attack is highly likely, see below link:

<https://www.mi5.gov.uk/threat-levels>

In order to counter criminal and terrorist behaviour it is vital that the police have the ability to work together, where necessary covertly, to assist in the investigative process to ensure the successful arrest and prosecution of offenders who commit or plan to commit acts of terrorism.

Public Interest Considerations

Section 24

Factors in favour of disclosure

The information requested relates to a specialised area of Policing. There is a public interest in the community being made aware of all the facts relating to Armed Policing in order to ensure complete openness and transparency as there is often speculation and rumour with regard to the use of firearms within the Police Service. In this case providing information relating to the number and type of weapons held by BCH would provide transparency with regard to the allocation of public funds.

Factors in favour of non-disclosure

Whilst there is a public interest in reassurance that BCH is appropriately and effectively dealing with threats posed by terrorist organisations, there is also a strong public interest in safeguarding national security and the welfare and safety of the general public.

Any disclosure has the potential to undermine ongoing and future operations to protect the Security of the United Kingdom, e.g. counter terrorism activity. The risk of significant harm or even death to the community at large would be increased.

Section 31

Factors in favour of disclosure

The public have an interest in the promotion of transparency regarding police activities and in an awareness of police capabilities.

The public have a legitimate interest in information about police resources that their money has paid for.

Factors in favour of non-disclosure

The disclosure of this level of detail regarding a specialist police resource has a high risk that the information could be used for criminal activity. This is the same basis for the finding that the exemption is engaged.

Law enforcement tactics of all forces would be compromised if each area was to reveal their precise firearms capability and detailed information regarding the level of resource.

The public would be placed at risk if the information allowed more crime to be committed.

Balance test

Whilst there is a public interest in the transparency of policing resources for specialist departments and providing reassurance that the Police Service is appropriately and effectively placing resources into Armed Policing, there is a strong public interest in knowing that policing activity with regard to the delivery of law enforcement is appropriate and balanced, this will only be overridden in exceptional circumstances.

In addition, we also have to take into account the victims of terrorism. Public safety is of paramount importance and any information which would place individuals at risk and compromise the National Security of United Kingdom, no matter how generic, is not in the public interest. The effective delivery of operational law enforcement and the National Security of the UK is crucial and of paramount importance to the Police Service. Any disclosure would have a negative impact on law enforcement and National Security.

Therefore at this time we feel the balance falls heavily in the favour of non-disclosure.

The numerical data presented in this response is an un-audited snapshot of un-published data sourced from "live" systems and is subject to the interpretation of the original request by the individual extracting the data.

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

Yours sincerely

Geneen Bill
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Bedfordshire Police 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 Bedfordshire Police 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.