



Response Date:19/02/2025

2024/1176 – Drones

In response to your recent request for information regarding;

Provide a full inventory of drones that the police force has access to, storing the data in a table disaggregated using the following fields;

- 1. Drone manufacturer**
- 2. Model**
- 3. Technical capabilities**

Harm has been identified in providing you with the requested information;

A Freedom of Information Act request is not a private transaction. Both the request itself, and any information disclosed, are considered suitable for open publication. This is because, under Freedom of Information, any information disclosed is released into the wider public domain, effectively to the world and not just to one individual.

Therefore, Section 31 (1) Law Enforcement and Section 24 (1) National Security is to be considered as part of the Public Interest Test. A Public Interest Test has been carried out to weigh up the reasons for and against disclosure of the information requested, to ensure the release is in the interest of the public as a whole and not just the applicant.

Harm

Overall harm for s24(1) and s31(1) – Although it is acknowledged that the police service use drones, revealing specific information such as the make, model and technical capabilities would undermine the process of preventing and detecting crime and apprehension of offenders. The information would be of use to those who seek to disrupt police operations as it would, by process of elimination, enable individuals with the inclination to identify where

and what specific drones police forces hold, which is detrimental to the use of tactics and effective investigations, allowing those with intent the opportunity to disrupt operational policing.

Public Interest Test

Factors favouring s24(1) – The information simply relates to national security and disclosure would not actually harm it. Better informed public can take steps to protect themselves. The public have a right to see where public spending is going.

Factors against s24(1) -The risk of harm to the public would increase as security measures would be rendered less effective if those with intent were able to intercept policing drones and obstruct policing procedures. Release of specific information about particular policing tools would disclose forces capabilities and allow steps to be taken to counteract such tools, thus reduce the forces ability to protect the public, which in turn affects national security.

Factors favouring s31(1) –Some information is already in the public domain around police forces using drones for search and rescues and locating criminals. Better awareness may reduce crime or lead to more information from the public. The public would be better informed about force technologies and capabilities.

Factors against s31(1) – Disclosing further information would hinder the prevention and detection of crime and placing the public at risk of harm. Law enforcement tactics would be compromised and lead to an impact on policing resources and would compromise the forces' ability to protect the public.

Balancing test

The strongest reason favouring disclosure is increasing public knowledge of a policing conversation and North Wales Police being open and transparent.

The strongest reason favouring non-disclosure is to not undermine law enforcement tactics, methodology and resources which in turn would increase security measures by virtue of an adverse FOIA disclosure.

On weighing up the competing interests I have determined that the disclosure of the above information would not be in the public interest. I consider that the benefit that would result from the information being disclosed does not outweigh the considerations favouring non-disclosure.

I appreciate this is not the decision you would have liked for this part of your request. However this decision has been made on the understanding that the public interest is not what interests the public but is what would be of greater interest to the public as a whole, should the information be disclosed.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under section 17 (1) of the legislation.

4. Cost – no harm

Approx cost per unit with associated equipment
£20k
£20k
£12k
£1k
£1k
£4k
£4k
£600
£700
£800

5. Conditions of usage; is it owned, leased, borrowed, etc. If it isn't owned by the police force, please share who the owner is – section 31

Owned

6. List of additional payloads attached to the drone; disaggregated into the following fields;

- a. Manufacturer
- b. Model
- c. Technical capabilities

Please see the answer the Questions 1, 2 & 3

d. Cost – no harm

Approx cost per unit
8k
8k
£4.5k
£1,600

e. Conditions of usage; is it owned, leased, borrowed, etc. If it isn't owned by the police force, please share who the owner is – section 31

Owned

In addition, in relation to the covert use of 'Drones' North Wales Police neither confirms nor denies that it holds any other information relevant to the request 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 23(5) – Information supplied by, or relating to, bodies dealing with security matters - Under s23(5) the duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3). This is an absolute exemption and a public interest test is not required.

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 denying that any other information is held as well as carrying out a public interest test.

Overall harm for the partial NCND

As you may be aware, disclosure under FOIA is a release to the public at large. Whilst not questioning the motives of the applicant, confirming or denying that any other information is held regarding the use of this specialist equipment for covert use, would show criminals what the capacity, tactical abilities and capabilities of the force are, allowing them to target specific areas of the UK to conduct their criminal/terrorist activities. Confirming or denying the specific circumstances in which the police service may or may not deploy UAV's, would lead to an increase of harm to covert investigations and compromise law enforcement. This would 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.

The threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. Since 2006, the UK Government have published the threat level, based upon current intelligence and that threat is currently categorised as 'substantial', see link below:

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

The UK continues to face a sustained threat from violent extremists and terrorists.

It is well established that police forces use covert tactics and surveillance to gain intelligence in order to counteract criminal behaviour. It has been previously documented in the media that many terrorist incidents have been thwarted due to intelligence gained by these means.

Confirming or denying that any other information is held in relation to the covert use of UAV's would limit operational capabilities as criminals/terrorists would gain a greater understanding of the police's methods and techniques, enabling them to take steps to counter them. It may also suggest the limitations of police capabilities in this area, which may further encourage criminal/terrorist activity by exposing potential vulnerabilities. This detrimental effect is increased if the request is made to several different law enforcement bodies. In addition to the local criminal fraternity now being better informed, those intent on organised crime throughout the UK will be able to 'map' where the use of certain tactics are or are not deployed. This can be useful information to those committing crimes. It would have the likelihood of identifying location-specific operations which would ultimately compromise police tactics, operations and future prosecutions as criminals could counteract the measures used against them.

The advancement of technology has increased the significant risk of harm for police drone operations. Any information identifying the focus of policing activity could be used to the advantage of terrorists or criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on both national security and law enforcement.

Factors favouring Neither Confirming Nor Denying for Section 24(2)

The public is entitled to know where its public funds are being spent and a better informed public can take steps to protect themselves.

Factors against Neither Confirming Nor Denying for Section 24(2)

Confirming or denying the covert drone use could render security measures less effective. This could lead to the compromise of ongoing or future operations to protect the security or infra-structure of the UK and increase the risk of harm to the public.

Factors favouring Neither Confirming Nor Denying for Section 31(3)

Confirming or denying whether any other information is held regarding the covert use of drones would provide an insight into the police service. This would enable the public to have a better understanding of the effectiveness of the police and how the police gather intelligence. It would greatly assist in the quality and accuracy of public debate, which could otherwise be steeped in rumour and speculation. Where public funds are being spent, there is a public interest in accountability and justifying the use of public money.

Some information is already in the public domain regarding the police use of drones and confirming or denying whether any other information is held would ensure transparency and accountability and enable the public to see what tactics are deployed by the Police Service to detect crime.

Factors against Neither Confirming Nor Denying for Section 31(3)

Confirming or denying that any other information is held regarding the covert use of drones would have the effect of compromising law enforcement tactics and would also hinder any future investigations. In addition, confirming or denying methods used to gather intelligence for an investigation would prejudice that investigation and any possible future proceedings.

FOIA releases can be monitored by criminals/ terrorists and so to confirm or deny any other information is held concerning specialist covert tactics would lead to law enforcement being undermined. The Police Service is reliant upon all manner of techniques during operations and the public release of any modus operandi employed, if held, would prejudice the ability of the Police Service to conduct similar investigations.

By confirming or denying whether any other information is held in relation to the covert use of drones would hinder the prevention or detection of crime. The Police Service would not wish to reveal what tactics may or may not have been used to gain intelligence as this would clearly undermine the law enforcement and investigative process. This would impact on police resources and more crime and terrorist incidents would be committed, placing individuals at risk. It can be argued that there are significant risks associated with providing information, if held, in relation to any aspect of

investigations or of any nation's security arrangements so confirming or denying that any other information is held, may reveal the relative vulnerability of what we may be trying to protect.

Balance test

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 regarding the covert use of UAV's if to do so would place the safety of an individual at risk, undermine National Security or compromise law enforcement.

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 various groups or individuals, there is a very strong public interest in safeguarding the integrity of police investigations and operations in the highly sensitive areas such as extremism, crime prevention, public disorder and terrorism prevention.

As much as there is public interest in knowing that policing activity is appropriate and balanced this will only be overridden in exceptional circumstances. The areas of police interest discussed above are sensitive issues that reveal local intelligence and therefore it is our opinion that for these issues the balancing test for confirming or denying whether any other information is held regarding the covert use of drones, is not made out. However, None of the above can be viewed as an inference that the information you seek does or does not exist.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under section 17 (1) of the legislation.

THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST
UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT 17/02/2025