



**HEDDLU
GOGLEDD CYMRU
NORTH WALES
POLICE**

Response Date:08/03/2024

2024/240 - Policy on potentially inciteful statement

In response to your recent request for information regarding;

- 1) What is your force's policy with regards to the phrase "From the river to the sea"?**
- 2) Where your force's policy is that this statement is not always unlawful, under which circumstances could it be unlawful?**
- 3) Where your force's policy is that this statement is not always unlawful, under which circumstances could it be lawful?**

North Wales Police do not hold any information in relation to questions 1 -3 of your request.

4) If there is no formal policy: please instead share any instructions, emails, or other documentation that may have been shared with officers with regards to what action should be taken when this statement is used by members of the public.

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

Therefore, Section 31 (1) (a) (b) Law Enforcement 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.

The FOI Act is 'applicant blind'. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK. Where disclosure will likely jeopardise the primary functions of North Wales Police, namely, to prevent and detect crime as well as apprehend and prosecute offenders, information needs to be protected.

Providing 'any instructions, emails, or other documentation' generated by North Wales Police, along with other forces, would aid criminals to identify in which force areas the level of such a resource might be deemed as weaker, and use this knowledge to their advantage in furthering criminal activity around the force area and the UK. Ultimately, this would provide criminals a tactical advantage over the police, which could then be used to hinder our ability to fulfil basic law enforcement functions.

The disclosure of information which is likely to undermine the Police service's ability to serve the public by the information requested, can only be considered as being harmful to the public.

Public Interest Test

Considerations favouring disclosure - Disclosure would allow for greater public awareness and openness over North Wales Police resource capability to deal with incidents where this statement is used by members of the public.

As a result, the public would become more informed on how and where public funds are being spent in this area of policing and gain a greater knowledge of the resources available to prevent and detect crime. In itself that can lead to a reduction of crime and give the public more confidence in reporting incidents of crime, disorder and anti-social behaviour.

Considerations favouring non-disclosure - Disclosing the requested information would have a detrimental impact upon operational policing. Disclosing 'any instructions, emails, or other documentation' created by North Wales Polic would provide those individuals or groups within the criminal fraternity a significant operational advantage as the information could be used with a view to disrupt law enforcement or develop tactics that would divert resources away from locations that they wish to target. This would clearly jeopardise the ability of North Wales Police to respond appropriately to criminal activity and thereby protect the public.

The requested information could be used to compromise law enforcement capabilities by decreasing the ability of the police to fight crime, which would increase the commission of crime and subsequently have a detrimental impact on public safety as well as decrease public confidence in the police force.

Balancing Test

After weighing up the competing interests I have determined that the disclosure of the requested 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 find that the strongest reasons favouring disclosure are to provide greater public awareness and openness in how public funding is being spent, and whether North Wales Police is suitably resourced in incidents where this statement is used by members of the public.

However, the strongest and most decisive reasons against disclosure are the impact that disclosure would have on public safety, and the prevention of the malicious redirecting of North Wales Police resources.

Clearly the release of any information that is likely to assist the criminal network and impact on our operational and tactical capabilities cannot be in the public interest and whilst wishing to embrace the ethos of information disclosure, this cannot take precedence over public safety.

Therefore, 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 06/03/2024