



Response Date: 25/06/2024

2024/595 - tactical cyclists

In response to your recent request for information regarding;

- 1 - How many Level 2 public order trained tactical cyclists do you have in your force?**
- 2 - How many Level 3 public order trained tactical cyclists do you have in your force?**
- 3 - How many bicycles do you have specifically for public order tactical cycling?**

Concerns have been raised in relation to providing the information requested regarding tactical cyclists. Therefore, a public Interest Test has been carried out to weigh up the reasons for and against disclosure; to ensure the release is in the interest of the public as a whole and not just the applicant.

Section s31(1)(a)(b) Law Enforcement

Section 31 (1)(a)(b) is a prejudice based qualified exemption, therefore there is a requirement to articulate the harm that would be caused in confirming or not that the information is held as well as carrying out a public interest test.

The Harm Test process requires North Wales Police to consider any possible harm that might arise as a result of placing the requested information into the public domain. This process considers the potential harm to:

- Individuals
- The community as a whole
- North Wales Police and the wider policing service
- Other bodies

S31(1) - Evidence of Harm

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 the Act, any information disclosed is released into the wider public domain, effectively to the world, not just to an individual.

Whilst not questioning the motives of the applicant, providing any information relating to specific tactics utilised by each force would reveal our capability more broadly, which would be of intelligence value to criminals.

Disclosure of policing tactics and the tools at the police's disposal will mean that those members of the public who are committing crimes and pose a risk to the public, would be able to formulate ways to circumvent the tactics and tools used. If disclosed the tactics will become less effective and will mean that the police are not able to detect and prevent crime, apprehend or prosecute offenders or to administer justice for the wider community.

There is always a duty of care to the general public and the Police Service has a clear responsibility to ensure the prevention or detection of crime, and the apprehension or prosecution of offenders is

always delivered. There are a number of tactics available to the Police Service to ensure the effective delivery of operational law enforcement.

As such, the disclosure of information which would hinder the forces law enforcement functions cannot be in the public interest.

Public Interest Test

Factors favouring disclosure for S31 - Where public funds are being spent, there is a public interest in accountability and justifying the use of public money. Disclosure of the requested information would enable the public to assess whether the force has appropriately taken steps to help reduce crime by such means as the use of tactical cyclists. Release would enhance public debate as to whether or not the force is appropriately and effectively engaging with the threat posed by the criminal fraternity.

Factors against disclosure for S31 - Disclosure that reveals our force capabilities would compromise law enforcement tactics. Criminals could use the information to target areas of weakness knowing that their activities are less likely to be detected. It may be used by criminals who are intent on pursuing their criminal activity, to identify and exploit the limitations of these resources.

To release information relating to tactics utilised by North Wales Police would have a detrimental effect on our policing capabilities. Therefore, to mitigate any risks, disclosure of this information needs to be protected, to ensure that those with intent to do so cannot manipulate it or undermine its purpose in any way.

Any disclosure of information which would compromise law enforcement tactics and thus lead to more crime being committed by reducing the opportunity for the prevention and detection of crime, would therefore increase the risk to public safety, which is not in the public interest.

Balancing Test

Law enforcement is of paramount importance and the Police service will not disclose information if to do so, it would undermine its purpose and place the safety of individual(s) at risk. Whilst there is a public interest in the transparency of using public money in policing appropriately and effectively engaging with the threat posed by criminals, there is a very strong public interest in safeguarding the integrity of police investigations and operations.

As much as there is public interest in knowing that policing activity is appropriate and balanced in matters of law enforcement, this will only be overridden in exceptional circumstances. Any disclosure which hinders our capability and assists criminals cannot be in the public interest.

It is for these reasons that I have determined that the balance test favours non-disclosure of the requested information.

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 24/06/2024