

Requested information - Those in intelligence roles such as covert/overt surveillance operations, undercover operations officer, field intelligence officers etc- what is the current number and percentage of women in these roles?

Covert operations - Applicable exemption: Section 31(1)(a)(b) - Law enforcement

Public interest test

Harm

Whilst it is publicly known that police forces conduct covert surveillance operations, disclosing the number of officers dedicated to covert surveillance could compromise operational tactics by allowing those involved in criminal activities to anticipate law enforcement actions or devise countermeasures to evade detection. For instance, knowing the number of officers in these roles might enable organised crime groups to assess how likely it is that their activities are being monitored, leading them to take actions to avoid surveillance, relocate their operations, or otherwise frustrate law enforcement efforts.

Additionally, providing this level of detail about covert operations could indirectly reveal areas where law enforcement resources may be more concentrated or, conversely, where they are limited. This could lead to criminals targeting areas they perceive as having lower surveillance capacity, thereby increasing the risk of criminal activity in those locations.

Factors in favour of disclosure:

There is a general public interest in the transparency and accountability of police forces, including how they allocate resources to covert operations. The public has a right to know how law enforcement resources are being used, particularly to ensure they are effectively targeting serious criminal activity.

Disclosure could also foster public trust, demonstrating that the police are committed to tackling crime through strategic deployment of covert operations.

Factors against disclosure:

Disclosure could undermine the effectiveness of covert operations by revealing the resourcing capacity of law enforcement, allowing criminal groups to alter their behaviour to avoid detection.

The release of this information could lead to an increase in criminal activity if offenders believe they can evade law enforcement by assessing where resources may be thinly stretched. This would not only frustrate the detection and prosecution of crime but could also put communities at risk by emboldening criminal organisations.

The operational tactics and strategies that depend on the element of surprise or anonymity could be severely compromised if resourcing levels are made public, diminishing the overall effectiveness of law enforcement efforts.

Balancing test

Whilst transparency about the allocation of public resources is important, in this case, the potential harm to law enforcement operations and the increased risk of criminal activity far outweigh the benefits of disclosing this information. The protection of the public and the effectiveness of crime prevention efforts are paramount. Therefore, it is my decision that the public interest factors against disclosure outweigh the public interest factors in favour of disclosure, and the exemption under Section 31(1)(a)(b) is maintained.