

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?

Undercover operations - Applicable exemptions: Section 24(2) - National security & Section 31(3) - Law enforcement.

Public interest Test

Overall harm

Undercover police tactics are, by their very nature, sensitive. They include techniques and controls that will be of great interest to criminals who are trying to develop measures to counter them. This includes identifying and mapping the deployment of undercover officers (UCOs) with the intention of establishing how and when UCOs have been deployed and/or may be deployed in future.

To confirm or deny whether West Midlands Police, or other police forces utilise UCOs and how many would undermine the purpose of undercover operations. By providing the information requested (if held), it would allow comparison between forces across the country and enable the criminal fraternity to build a picture of what resources are in place. Consequently, this would prejudice the effectiveness of the police service as it would allow inferences to be drawn about force level capability and would identify vulnerability around the country.

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The confirmation or denial of the information sought would impact on the effectiveness of police procedures and investigations thereby hindering the prevention and detection of crime.

S24 - Factors favouring confirming or denying:

The information simply relates to women in covert roles and their percentage. To confirm whether information exists would enable the general public to understand more about equality and the balance on genders within policing.

S24 - Factors favouring neither confirming nor denying:

No information which may aid criminals or those who present any other threats to national security, such as through terrorism, should be disclosed. To what extent confirmation or denial may aid such a fraternity is unknown, but it is clear that it will have an impact on a force's ability to safeguard national security interests.

The public entrust the Police Service to make appropriate decisions with regard to their safety and protection. The only way of reducing risk is to be cautious with what is placed into the public domain and in some circumstances such as these, confirmation or denial that information is held.

The cumulative effect of criminals gathering information from various sources would build a picture of vulnerabilities within certain scenarios, such as whether or not UCOs are located within a specific policing areas. The more information disclosed over time will provide a more detailed account of the tactical infrastructure of not only a force area but also the country as a whole.

Any incident which results from such a disclosure would by default affect National Security.

S31 - Factors favouring confirming or denying:

Confirming or denying whether West Midlands Police holds information relevant to this request the public would be able to see the proactive ways that the police are continually recruiting to equal opportunity roles within policing. West Midlands Police is committed to openness and transparency with the general public. When a request for information is made to them, it is correct that the police make appropriate information available to the general public.

S31 - Factors favouring neither confirming nor denying:

West Midlands Police has a duty of care to the community at large and public safety is of paramount importance. If an FOI disclosure reveals information to the world, by not adopting an NCND position, it would not only compromise and undermine the security of the national infrastructure, but the effective delivery of operational law enforcement would also be undermined as offenders could use this knowledge to their advantage which would compromise public safety and more worryingly encourage offenders to carry out further crimes.

West Midlands Police has a statutory role in investigating criminal offences. West Midlands Police will not disclose, through the duty to confirm or deny whether information is held under the Act, whether or not UCOs are used, and by extension, have been deployed. This information would allow criminals to map forces that might be using UCOs and assist them to predict where current UCOs are deployed and/or where UCOs may be deployed in future. This information could also, in certain circumstances, compromise police investigations, tactics and/or sources of information. Where compromise occurs, this would adversely affect West Midlands Police ability to prevent and detect crime and apprehend and prosecute offenders. This would be contrary to the public interest.

Balancing test

After 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.

The security of the country is of paramount importance and West Midlands Police will not divulge whether information is or is not held if to do so could undermine national security or compromise law enforcement. Whilst there is a public interest in the transparency of policing operations and in this case providing assurance that the police service is appropriately and effectively engaging with the threat posed by the criminal fraternity through the use of UCOs, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in this area.