

**Date:** 5 August 2022

**Our Reference:** FOIA-2022-065

**RE: Your request for information under the Freedom of Information Act 2000**

I write in response to your Freedom of Information Act 2000 ('FoIA 2000') request, dated 11/07/2022, in which you requested:

"Has the college's CCTV system had any Hikvision or Dahua equipment installed in the past 12 months? If so please give details of the number of cameras by either manufacturer, separately. Please provide the contracts with suppliers for these products, with the prices redacted."

**Decision**

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

**Section 24(2) FoIA – National security**

The College of Policing can neither confirm nor deny whether any of the requested information is held, as the duty to comply with section 1(1)(a) of the FoIA 2000 does not apply by virtue of section 24(2).

**Section 24(2)** is a qualified exemption and as such there is a requirement to evidence any harm in confirming or denying that any other information is held as well as considering the public interest. We do appreciate the importance of the public being informed on which security cameras public authorities use. However, disclosure under the FoIA 2000 is a disclosure to the world at large, and therefore, disclosure of the information, if held, runs the risk of providing criminals with information, that when used on its own or with other information is likely to have an undesirable effect on the national security of the the UK. This would in turn, have an impact on the ability of the UK to protect itself from criminality and increases the risk to the safety of its citizens.

It is also likely to have an adverse effect on law enforcement operations, in the UK, as confirming or denying whether any information is held would have the effect of making security measures less effective by providing information on the makes and models of protective security systems used by public authorities. To the extent that section 24(2) applies, the College of Policing has determined that in all the circumstances, the public interest in maintaining the the duty to confirm or deny outweighs the

public interest in confirming whether or not any other information is held. I can therefore neither confirm nor deny whether any information relevant to your request is held.

### **Section 31(1) - Law enforcement**

The College of Policing can neither confirm nor deny whether the requested information is held, as the duty to comply with section 1(1)(a) of the FoIA 2000 also does not apply by virtue of section 31(3).

Information may be exempt under section 31(1) if its disclosure would, or would be likely to, prejudice - (a) the prevention or detection of crime.

The above exemption requires a consideration of the prejudice or harm that would, or would be likely, to result from disclosure, if held. The public interest test must then be considered, which requires an analysis of the arguments on both sides as to whether the public interest in disclosure is outweighed by any harm that disclosure may cause. The College accepts that releasing details about which security cameras public authorities use would be of interest to the general public. It would also help provide reassurance to the public that the College is fully transparent.

However, we also recognise that the effective conduct of the College, and indirectly, the police service must be upheld. Disclosure of details about the make and number of security cameras could hinder the effective prevention and detection of crime as it has the potential to undermine the security systems and make any property using it vulnerable to break-ins. The consequences of this is likely to have an adverse impact on the public interest as there would be costs involved in recovering from break-ins and disruption caused to the College's work, which may indirectly impact the police service.

As stated above, the public interest test is a consideration of whether the public benefit of possession of the information outweighs the potential harm of releasing that information, but it is not merely an evaluation of what interests the public. On weighing up the competing interests, we consider that the public interest test favours neither confirming nor denying whether any information is held.

Your rights can be found at the end of this letter.

Yours sincerely,

**Legal Services**

**Business Services**

**College of Policing**

Email: [FOI@college.police.uk](mailto:FOI@college.police.uk)

Website: [www.college.police.uk](http://www.college.police.uk)

## **Your right of review**

Under the Freedom of Information Act 2000 you have a right to request an internal review if you are dissatisfied with our handling of your request. Review requests should be made in writing (by email or post) within 40 working days from the date of our original response. We will aim to respond to your review request within 20 working days.

## **The Information Commissioner's Office (ICO)**

If, after lodging a review request you are still dissatisfied, you may raise the matter with the ICO. For further information you can visit their website at <https://ico.org.uk/for-the-public/official-information/>. Alternatively, you can contact them by phone or write to them at the following address:

**Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Phone: 0303 123 1113**