

Section 24(2) – National security

Section 30(3) Investigations by virtue of s30(2) Confidential Sources

### **Harm**

#### **Harm for neither confirming nor denying that any other information is held for Section 24**

Disclosure of informant's data could impact on the recruitment and retention of CHIS in general, due to the perception of (rather than the actual) risk of identification. The disclosure of the requested information would damage national security through discouraging current national security CHIS from cooperating with the police service in other geographical areas, or preventing the recruitment of national security CHIS in the future – regardless of whether the area in question actually currently runs CHIS reporting on serious crime, terrorist or other threats.

#### **Factors favouring confirming or denying that any other information is held for Section 24**

Confirmation or denial that any other information exists relevant to the request would lead to a better-informed public and the public are entitled to know how public funds are spent. The information simply relates to national security and disclosure would not actually harm it.

#### **Factors against confirming or denying that any other information is held for Section 24**

Other organisations outside the police service are also widely engaged in rewarding informants in a number of ways, and therefore by confirming or denying that any other information exists relevant to the request would harm the close relationship that exists with such organisations, where trust and confidence in this specific area has been built up in the exchange of information and financial assistance during the Criminal Justice process.

To confirm or deny whether West Midlands police hold any additional information would allow inferences to be made about the nature and extent of national security related activities which may or may not take place in a given area. This could enable terrorist groups to take steps to avoid detection, and as such, confirmation or denial would be damaging to national security. By confirming or denying any policing arrangements of this nature would render national security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infra-structure of the UK and increase the risk of harm to the public.

#### **Factors favouring confirming or denying that any other information is held for Section 30**

The confirmation or denial that information is held would provide a greater insight into policing and how resources are allocated to investigate crimes. The confirmation or denial that the information is or is not held would identify how West Midlands police often relies on CHIS within this type of investigation.

#### **Factors against confirming or denying that any other information is held for Section 30**

To confirm or deny that information relevant to this request is held would provide details of any previous or on-going investigations. Informant's information assists police investigations and provides vital intelligence. To confirm West Midlands police that have used informants with previous investigations and criminal convictions in specific investigations would provide sensitive information that would undermine policing and investigations. Investigations, although complete, may have included information from an informant of the type described

and serve to undermine any investigations that have taken place based on the original investigation.

### **Balance Test**

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security and maintenance of investigations are of paramount importance and the Police service will not divulge whether information is or is not held if to do so would place the safety of an individual at risk or undermine National Security and investigations. Whilst there is a public interest in the transparency of policing operations and providing assurance that the police service is appropriately and effectively engaging with the threat from criminals, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in this highly sensitive area. As much as there is public interest in knowing that policing activity is appropriate and balanced in matters of national security, this will only be overridden in exceptional circumstances. It is therefore our opinion that for these issues the balancing test for confirming or not that information is held, is not made out.