



Freedom of Information Request Reference N^o: FOI 002463-18

I write in connection with your request for information received by Norfolk and Suffolk Constabularies on the 13.07.2018 in which you sought access to the following information:

1. *"Has your force ever explored using the services of Meltwater (Media Intelligence and Social Monitoring)?*
If yes:
 - a) *What services did your force explore using Meltwater for?*
2. *Has your force ever had a contract for services with Meltwater?*
If yes:
 - a) *What was the purpose of those services?*
 - b) *How much did your force pay for this contract with Meltwater?*
3. *Has your force ever engaged with other media intelligence and social monitoring companies/professionals?*
If yes, please state:
 - a) *Names of companies/professionals*
 - b) *Purpose of engagement*
 - c) *Contract length where the engagement was contractual"*

Response to your Request

The response provided below is correct as of 16th July, 2018.

Norfolk and Suffolk Constabularies have considered your request for information and our response is below.

Norfolk and Suffolk Constabularies have not explored, nor had a contract concerning, services with Meltwater.

The Constabularies use Capita Business Services Ltd, details for which are available on the Blue Light Procurement Database.

Section 17 of the Freedom of Information Act 2000 requires that Norfolk and Suffolk Constabularies, when refusing to provide such information (because the information is exempt) is to provide you the applicant with a notice ban which:

- (a) States that fact
- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption;

Section 21(1) - Information reasonably accessible by other means

Information concerning this contract is published on the Blue Light Procurement Database and is therefore reasonably accessible by other means as per Section 21 of the Freedom of Information Act 2000. The following links will take you to the appropriate page:

<https://www.blpd.gov.uk/foi/foicontractview.aspx?contractid=26853>

Suffolk and Norfolk Constabularies can neither confirm nor deny it holds any other information relevant to your request. Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon, section 17 of the FOIA requires that we provide the applicant with a notice which a) states that fact, b) specifies the exemption(s) in question and c) states (if that would not otherwise be apparent) why the exemption(s) apply.

Norfolk and Suffolk Constabularies can **neither confirm nor deny** that it holds any other information requested as the duty in section 1(1)(a) of the FOIA 2000 does not apply, by virtue of the following exemptions:-

Section 23(5) Information relating to the Security Bodies

Section 24(2) National Security

Section 31(3) Law Enforcement

Section 23 is an absolute exemption, which means that the legislators have identified that harm would be caused by release and there is no requirement to consider the public interest test.

Sections 24 and 31 are prejudiced based qualified exemptions and there is a requirement for us to evidence harm in confirming or denying information is held and also consider the public interest.

Harm in the confirmation or denial of whether information is held

The definition of national security encompasses a wide spectrum and it is our duty to protect the people within the UK. Public safety is of paramount importance to the policing purpose and must be taken into account in deciding whether to disclose whether the information is or is not held. Furthermore, confirming if particular tactics are used and confirming policing methods which are not in the public domain may prejudice the use of this method by allowing criminals to adopt counter measures.

To confirm or deny whether we hold any further information, would allow interested parties to gain an upper hand and awareness of policing policy and decisions used to safeguard national security. To confirm or deny that any other information is held or provide details relating to what may or may

not be held may be to the detriment of providing an efficient policing service and a failure in providing a duty of care to all members of the public, and this would also impact upon any current investigation.

Public Interest Considerations

Section 24

Factors favouring confirmation or denial of whether information is held

Confirming 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 confirmation or denial of whether information is held

To confirm or deny whether the Constabularies 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. 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 on the UK and increase the risk of harm to the public.

Section 31

Factors favouring confirmation or denial of whether information is held

Confirming or denying whether any further information is held would allow the public to see where public funds have been spent and allow the Police service to appear more open and transparent.

Factors against confirmation or denial of whether information is held

By confirming or denying whether any further information is held would mean that law enforcement tactics would be compromised which would hinder the prevention and detection of crime. Security arrangements and tactics are re-used and have been monitored by criminal groups, fixated individuals and terrorists. These security arrangements and tactics would need to be reviewed which would require more resources and would add to the cost to the public purse.

Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security of the country is of paramount importance and the Police Service will not divulge whether any other information is or is not held if to do so would place the safety of an individual at risk or undermine National Security.

Whilst there is a public interest in the transparency of policing, 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 the police 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 any other information is held, is not made out.

None of the above can be viewed as an inference that any other information does or does not exist.

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700