



Heddlu Police

DYFED-POWYS

FOI Reference: 987/2019

Request:

- 1) Does the police force use the Amazon Alexa device to help its fight against crime? Some forces have started using it to send out news bulletins and appeals.
- 2) If so, can you please list the main things the force uses this for?
- 3) Also, how much has it cost the force? Can I please get a breakdown of how the money was spent?

Response 1:

I can confirm that Dyfed-Powys Police does not use the Amazon Alexa device.

Response 2 – 3:

A response to questions 2 and 3 is not applicable based on the response provided in relation to question 1.

In addition to the above, Dyfed-Powys Police neither confirms nor denies that it holds any other information relevant to your request by virtue of the following exemptions:

Section 23(5) - Information supplied by, or concerning, certain security bodies

Section 24(2) - National Security

Section 30(3) - Investigations and proceeding conducted by public authorities

Section 31(3) - Law Enforcement

Section 23 is a class-based absolute exemption and there is no requirement to consider the public interest in this case.

Confirming or denying the existence of whether any other information is held would contravene the constrictions laid out within Section 23 of the Freedom of Information Act 2000 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

Sections 24 and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm that would be caused in confirming or denying that any other information is held as well as carrying out a public interest test.

Section 30 is a class-based qualified exemption. This means that the legislators when writing the legislation considered that the release of such information under the Freedom of Information Act 2000 would cause harm to the public authority or individual concerned. There is therefore no requirement to carry out a HARM Test in respect of such information. However there is a requirement to carry out a Public Interest Test in order to establish whether the public interest in maintaining the exemption may be outweighed by a wider public benefit in disclosure.

Overall harm:

In order to counter criminal and terrorist behaviour it is vital that the police and other agencies have the ability to work together, where necessary covertly, in order to obtain intelligence within current legislative frameworks to ensure the successful arrest and prosecution of those who commit or plan to commit acts of terrorism. In order to achieve this goal, it is vitally important that information sharing takes place with other police forces, security bodies and partner agencies within the UK and Internationally in order to support counter-terrorism measures in the fight to deprive international terrorist networks of their ability to commit crime.

It should be recognised that the international security landscape is increasingly complex and unpredictable. The UK faces a serious and sustained threat from violent extremists and this threat is greater in scale and ambition than any of the terrorist threats in the past. Since 2006, the UK Government has published the threat level, based upon current intelligence and that threat is currently categorised as 'substantial', see below link:

<https://www.mi5.gov.uk/threat-levels>

The Police Service is committed to demonstrating proportionality and accountability regarding surveillance techniques to the appropriate authorities. However, if the Police Service were to either confirm or deny that any other information exists, other covert surveillance tactics will either be compromised or significantly weakened. If the Police Service denies a tactic is used in one request but then exempts for another, requesters can determine the 'exempt' answer is in fact a technique used in policing. The impact could undermine national security, any on-going investigations and any future investigations, as it would enable targeted individuals/groups to become surveillance aware. This would help subjects avoid detection, and inhibit the prevention and detection of crime.

The prevention and detection of crime is the foundation upon which policing is built and the police have a clear responsibility to prevent crime and arrest those responsible for committing crime or those that plan to commit crime. To do this the police require evidence and that evidence can come from a number of sources, some of which is obtained through covert means. Having obtained sufficient evidence offenders are charged with offences and placed before the courts. By confirming or denying that any other information pertinent to this request exists could directly influence the stages of that process, and jeopardise current investigations or prejudice law enforcement.

Any information identifying the focus of policing activity could be used to the advantage of terrorists or criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on both national security and law enforcement.

Factors favouring confirmation or denial for S24

The public are entitled to know how public funds are spent and by confirming or denying that any other information relevant to the request exists could lead to a better-informed public that can take steps to protect themselves

Factors against confirmation or denial for S24

By confirming or denying that any other information relevant to the request exists would render Security measures less effective. This could 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 confirmation or denial for S30

By confirming or denying that any other information relevant to the request exists would enable the public to obtain satisfaction that all investigations are conducted properly and that their public money is well spent.

Factors against confirmation or denial for S30

By confirming or denying that any other information relevant to the request exists, would hinder the prevention or detection of crime, undermine the partnership approach to law enforcement, which would subsequently affect the force's future law enforcement capabilities.

Factors favouring confirmation or denial for S31

By confirming or denying that any other information relevant to the request exists, would enable the public to see where public funds are being spent. Better public awareness may reduce crime or lead to more information from the public.

Factors against confirmation or denial for S31

By confirming or denying that any other information relevant to the request exists, law enforcement tactics could be compromised which could hinder the prevention and detection of crime. More crime could be committed and individuals placed at risk.

Balance test

The security of the country is of paramount importance and the Police service 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, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in this 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. Therefore it is our opinion that for these issues the balancing test for confirming or denying whether any other information relevant to your request exists is not made out.

There is also no requirement to satisfy any public concern over the legality of police operations and the tactics we may or may not use. The force is already held to account by independent bodies such as The Office of the Surveillance Commissioner and The Interception of

Communications Commissioners Office. These inspections assess each constabulary's compliance with the legislation and a full report is submitted to the Prime Minister and Scottish Ministers containing statistical information. Our accountability is therefore not enhanced by confirming or denying that any other information is held.

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

(This is a response under the Freedom of Information Act 2000 and disclosed on 20/01/20)