

OFFICIAL



Heddlu Police

DYFED-POWYS

FOI Reference: 236/2020

Request:

1. The number of Stop and Searches in the calendar years 2017 - 2020, inclusive to the present day, separated by ethnicity and reason for search.

Response:

I can confirm that Dyfed-Powys Police does hold the information requested, however some of this information has been exempted by virtue of Sections 24(1) National Security and Section 31(1)(a)(b) Law Enforcement applies. (Please see the end of the document for an explanation of the applied exemptions).

Reason for Stop and Search	Total
Anything to threaten or harm anyone	1379
Anything which may constitute evidence that they are a terrorist	S24(1) and S31(1)(a)(b) applies
Article for use in theft	289
Articles for use in criminal damage	76
Controlled drugs	6082
Crossbows	7
Evidence of offences under the Act	38
Firearms	34
Going Equipped	8
Offensive Weapons	24
Other	13
Stolen Goods	42
Grand Total	7992

Please note: The exemptions applied to in the table for the reason for Stop and Search (i.e. Section 24(1) and Section 31(1)(a)(b)) have also been applied and are applicable to the below table relating to ethnicity.

Ethnicity of Stop and Searches						
Year	Asian	Black	Mixed	Other	White	Total
2017	20	9	12	0	1883	1924
2018	19	22	19	3	2397	2460
2019	32	20	24	2	2464	2542
2020	17	5	10	1	1033	1066
Total	88	56	65	6	7777	7992

Explanation of the applied exemptions:

Section 24(1) - National Security

Section 31(1)(a)(b) - Law Enforcement

Section 24 and 31 are prejudice based qualified exemptions and as such there is a requirement to provide details of the harm as well as the public interest test.

Section 24(1) - National Security:

“(1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.”

Evidence of Harm

The security of the country is of paramount importance and the police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As much as there is a public interest in knowing that policing activity is appropriate and balanced in matters of National Security, this will only be overridden in exceptional circumstances.

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. The public entrust the police service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with any information that is released.

Public Interest Test

Considerations favouring disclosure:

The public are entitled to know how public funds are spent and by disclosing this information the public would be able to see where public money is being spent and know that forces are doing as much as they can to combat terrorism and radicalisation. Revealing this information would enable the public to have some reassurance that the police service are dealing with terrorism appropriately.

Considerations favouring non-disclosure:

To disclose the requested information would render security measures less effective which would compromise ongoing or future operations to protect the security and infrastructure of the UK. The risk of harm to the public would be elevated if areas of the UK which appear vulnerable were identified which would also provide the opportunity for terrorist planning. Ongoing or future operations to protect the security and infrastructure of the UK would be compromised as terrorists could map the level of counter-terrorist activity across the country, providing them with the knowledge of individual force capability as well as valuable knowledge concerning the vulnerability of individual force areas.

Section 31(1)(a)(b) - Law Enforcement:

“(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to prejudice -

(a) the prevention or detection of crime

(b) the apprehension or prosecution of offenders”

Evidence of Harm

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate and the applicants do not have any ulterior motives. However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over our ability to exercise our core function which is Law Enforcement.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure of the information subject to the exemption. The police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The general public are also aware that modern day policing is intelligence led and that there are changes on a day to day basis. To release such information would cause harm to the Police service's ability to protect the public it serves and could prejudice its ability to perform core functions such as the prevention or detection of crime. The disclosure of the information in question would be invaluable to members of the criminal fraternity and would undoubtedly provide those with criminal intent information concerning highly sensitive policing areas. Disclosure of the information subject to the exemption could result in an increase in crime which in turn would impact upon not only police resources within the Force but also law enforcement in relation to hindering the prevention and detection of crime thereby undermining the Force's approach to law enforcement in relation to protecting the communities we serve, which could result in putting those communities at risk.

Public Interest Test

Considerations favouring disclosure:

To disclose the requested information would make members of the public more aware of the threat of terrorism and allow them to take steps to protect themselves and families. Improved public awareness may lead to more intelligence being submitted to police about possible acts of terrorism as members of the public will be more observant to suspicious activity which in turn may result in a reduction of crime. The Home Office regularly publish national statistical data on terrorism.

Considerations favouring non-disclosure:

Disclosure of the requested information could compromise law enforcement tactics which would hinder the Police force's ability to prevent and detect terrorist crimes. The threat of terrorism will increase as more crimes are committed as a result of terrorists gaining knowledge about the capabilities of individual forces and therefore the public will be placed at a greater risk. A fear of crime will be realised as terrorists identify vulnerable areas and target and exploit these areas resulting in the public being in fear of more terrorist activity occurring. There would be an impact on police resources from disclosing the number of individuals stopped and searched and the number of arrests made, as vulnerable forces may need to increase their resources to reassure and protect the surrounding community.

Balance Test

After considering the advantages and disadvantages in disclosure it falls upon Dyfed-Powys Police to conduct a balance test on the issues. The strongest argument for release, which is better awareness and transparency, needs to be weighed against the strongest argument for non-release which in this case is effective law enforcement and national security. The Police Service is tasked with the prevention and detection of crime and protecting the public and the security of the country is of paramount importance.

The police will not divulge any information that would place the safety of an individual at risk or undermine national security. Whilst there is a public interest in the transparency of policing, and in this case providing assurance that the police service is appropriately and effectively engaging with the threat posed by terrorist activity, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations in the highly sensitive subject of terrorism.

Therefore, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

It should be noted that owing to the systems adopted by Dyfed-Powys Police in relation to the recording of such matters the information provided may or may not be accurate.

(This is a response under the Freedom of Information Act 2000 and disclosed on 04/05/20)