

Date: 10/11/2023
Our ref: 01/FOI/23/011481/L

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/23/011481/L

I write in connection with your request for information dated 01/10/2023, received by Greater Manchester Police (GMP) for the following information:

- 1. Does your Digital Forensics department have the ability to analyse and process evidence from Drones?**
- 2. If not, is this work sent to a 3rd Party?**
- 3. Can you give any example of types of illegal activity that drones have been seized / analysed for evidence within your Police service?**
- 4. In 2022, how many reports did you have of incidents involving drones?**

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm the information requested is held by GMP.

Question 1.
Yes

Question 2.
N/A

Question 3.
Drones examined in 2022 within the Digital Forensic Investigation Unit were in relation to various drug offences.

Question 4.
470

Caveats for Q4

- This data contains incidents with a created date between 1st January 2022 and 31st December 2022, where the title, details or contact comments contains 'drone', excluding incidents with a closing code of L10 Duplicate, L19 Error or L22 Test or training.
- The appearance of the keyword "drone" in the text fields does not necessarily mean that records are relevant to this request.

In addition, and irrespective of what other information may or may not be held relating to drones seized or examined as a result of terrorism, this request also requires GMP to Neither Confirm Nor Deny whether it holds any further information for **Questions 3**. This is because the duty in Section 1(1)(a) of the Freedom of Information Act 2000 (the Act) does not apply, by virtue of the following exemptions;

- **Section 23(5) Information concerning security bodies**
- **Section 24(2) National Security**
- **Section 30(3) Investigations**
- **Section 31(3) Law Enforcement**

Section 23 is an absolute class-based exemption and there is no requirement to conduct a harm or public interest test.

Section 24 and Section 31 are both prejudice and qualified based exemptions and as such there is a requirement to evidence any harm confirmation or denial that any other information is held, as well as consider the public interest.

Section 30 is a class based qualified exemption requiring a test of the public interest.

Harm in Confirming or Denying that Information is held

Any release under FOIA is a disclosure to the world, not just to the individual making the request. To confirm or not that any other information is held pertinent to this request would reveal whether or not there have been any seizure and examination of drones in relation to terrorism.

To confirm or deny whether any other information relating to terrorism is held would be extremely useful to those involved in terrorist activity, which would ultimately undermine ongoing investigations, which could lead to police officers having to be removed from their frontline duties in order to increase manpower on an investigation.

The prevention and detection of crime is the foundation upon which policing is built and the threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. The current UK threat level from international terrorism, based on intelligence, is assessed as of today's date, as 'SUBSTANTIAL', which means that a terrorist attack is likely, see below link:

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

In order to counter criminal and terrorist behaviour it is vital that the police have the ability to work together, where necessary covertly, to obtain intelligence within current legislative frameworks to assist in the investigative process to ensure the successful arrest and prosecution of offenders who commit or plan to commit acts of terrorism.

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.

Public Interest Considerations

Section 24(2) National Security

Factors favouring complying with Section 1(1)(a) confirming that information is held

The public are entitled to know how public funds are spent and how resources are distributed within an area of policing. To confirm where terrorism offences have occurred would enable the general public to hold GMP to account ensuring all such offences are recorded and investigated appropriately.

Factors against complying with Section 1(1)(a) confirming or denying that information is held

Security measures are put in place to protect the community we serve. As evidenced within the harm to confirm whether terror offences have occurred would highlight to terrorists whether GMP has conducted investigations of this nature, thus whether or not the police are aware of such activity.

Taking into account the current security climate within the United Kingdom, no information (such as the citing of an exemption which confirms terror offences have occurred within GMP jurisdiction; or conversely, stating no information is held) which may aid a terrorist should be disclosed. To what extent this information may aid a terrorist is unknown, but it is clear that it will have an impact on a force's ability to monitor terrorist activity.

Irrespective of what information is or isn't held, 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 what is placed into the public domain.

The cumulative effect of terrorists gathering information from various sources would be even more impactful when linked to other information gathered from various sources about terrorism. The more information disclosed over time will give a more detailed account of the tactical infrastructure of not only a force area but also the country as a whole.

Any incident that results from such a disclosure would, by default, affect National Security.

Section 30(3) Investigations

Factors favouring complying with Section 1(1)(a) confirming that any other information is held

There is a public interest in the transparency of policing operations and providing assurance that (force name) is appropriately and effectively dealing with crime, including terrorism. Confirming or denying whether any other information is held relevant to this request would allow the public to make informed decisions about the threat of drones being used within terrorist related activity.

Factors against complying with Section 1(1)(a) neither confirm nor denying that any other information is held

Whilst there is a public interest in the transparency of policing operations and providing assurance that (force names) is appropriately and effectively dealing with crime, there is a strong public interest in safeguarding the integrity of police investigations and operations and in maintaining confidence in the Police Service. Confirmation or denial that any other information is held relevant to the use of drones connected to terrorism would undermine any investigative process and compromise the integrity of any operations.

Section 31(3) Law Enforcement

Factors favouring complying with Section 1(1)(a) confirming that any other information is held

Confirming that any other information exists relating to terror offences would lead to a better-informed public which may encourage individuals to provide intelligence in order to reduce offences.

Factors against complying with Section 1(1)(a) neither confirm nor denying that any other information is held

Confirmation or denial that information relating to terror offences is held in this case would suggest GMP take their responsibility to protect information dismissively and inappropriately.

GMP has a duty of care to the community at large and public safety is of paramount importance. If an FOI disclosure revealed information to the world that would undermine the security of the national infrastructure, this could then be used by offenders, including terrorist organisations, to their advantage, which would compromise public safety and more worryingly encourage offenders to carry out further crimes.

By its very nature, information relating to whether or not terror offences have occurred within a specific force area undoubtedly undermines the effective delivery of operational law enforcement. Under FOI there is a requirement to comply with Section 1(1)(a) and confirm what information is held. In some cases it is that confirmation, or not, which could disclose facts harmful to members of the public, police officers, other law enforcement agencies and their employees.

Balancing Test

The points above highlight the merits of confirming or denying whether any other information is held in relation to drones seized in connection to terror offences. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, information is gathered which can be highly sensitive relating to high profile investigative activity.

Weakening the mechanisms used to monitor terrorist activity would place the security of the country at an increased level of danger.

In addition, anything that places that confidence at risk, no matter how generic, would undermine any trust or confidence individuals have in the Police Service. Therefore, at this moment in time, it is our opinion that for these issues the balance test favours neither confirming nor denying that any other information is held regarding question 3.