

# Armed Officers

8 February 2016

## Request for Information.

Thank you for your request received on 12 January 2016 in which you asked:

- 1. The number of firearms officers deployed over the Assembly site.*
- 2. The annual cost to the Assembly to deploy the officers (the amount paid to the police). For the last calendar year.*
- 3. All minutes, notes, emails that contain information and reference to the topic of armed/firearms officers covering the last calendar year.*
- 4. Details of the steps taken to advise members of the public they are entering a premises where armed officers are on patrol.*

We have answered your questions below.

- 1. The number of firearms officers deployed over the Assembly site.*
- 2. The annual cost to the Assembly to deploy the officers (the amount paid to the police). For the last calendar year.*

Having given careful consideration to the information captured by your request, the National Assembly for Wales ("National Assembly") is of the view that this information is exempt from disclosure under section 24(1) of the Freedom of Information Act 2000. The purpose of this exemption is to prevent disclosure of information which is necessary for the safeguarding of national security, and the reasoning for the engagement of the exemption is set out below.

Section 24(1) of the Act provides:-

- 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.*

We consider it necessary to withhold this information in order to prevent harm, or the risk of harm, occurring to Assembly Members, Assembly

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh



Members Support Staff, Assembly Commission staff, and visitors to the National Assembly estate, as well as the infrastructure and buildings of the National Assembly itself. The information covered by the request directly relates to arrangements for the security of the National Assembly estate. The risk in the disclosure of this information is that there is a genuine likelihood it will damage the effectiveness and integrity of those arrangements.

This exemption is a qualified exemption, and as such, the public interest in upholding the exemption must be considered. The public interest consideration for disclosure is that the public have a right to know and be satisfied that there are adequate security arrangements in place in the National Assembly. It is our considered opinion however, that the release of this information is likely to materially damage the integrity and effectiveness of the National Assembly's security arrangements and therefore, in this instance, the public interest in withholding the information outweighs the public interest in its disclosure.

At present the current threat level from international terrorism in the UK is assessed as severe, which can be viewed at:-

<https://www.mi5.gov.uk/home/the-threats/terrorism/threat-levels.html>

Events in Paris over the weekend of 14 November 2015 have been taken into account when weighing up the balance of public interest. The National Assembly has a strong record of openness and accountability and information of the nature requested has, in the past, been made available to the public. In view of recent events; however, and in consideration of continuing security exercises and precautionary measures being adopted in some major cities, the public interest argument for withholding the information has, in our view, been strengthened further.

In addition to the above, the information requested is withheld under Section 38(1) (b) of the Act which provides:

- *Information is exempt information if its disclosure under this Act would, or would be likely to endanger the safety of any individual.*

The information requested includes details of the numbers of firearms officers deployed across the National Assembly estate together with further information concerning the annual cost of these officers. Such information, in itself, would not be likely to endanger the health and safety of any individual. However, in the hands of extremists and/or terrorists, it is likely

to be utilised to construct an overview of the potential vulnerability of the National Assembly estate.

As Section 38 is a qualified exemption, we are required to conduct a public interest test.

There is a public interest in providing information to make public authorities more accountable and, in this case, to identify and justify levels of expenditure on specific operational issues. Disclosure can of course raise awareness of current issues and raise the standard of public debate. The National Assembly is an advocate of transparency and indeed information of the nature now being requested was previously placed into the public domain, as stated previously.

We again refer to the events in Paris over the weekend of 14 November 2015. Such matters have understandably given the National Assembly cause to re-evaluate the position in respect of how certain information is handled and whether or not that information should be disseminated to the public.

The National Assembly is of the view that disclosure of the information requested would be likely to endanger the safety of those individuals who participate in Assembly proceedings and those who work at or visit the National Assembly estate.

The public interest in greater scrutiny of public spending is satisfied by the annual publication of financial reports and [Statement of Accounts](#). Further disclosure of specific operational spending and the amount paid to South Wales Police would not further the National Assembly's accountability as an establishment.

Further, whatever public interest exists in the disclosure of supplemental information, beyond that already available, is outweighed by the public interest that individuals should be protected against threats to their mental and physical health and safety. In addition, there is a strong and specific public interest that Assembly Members should not be deterred or impeded from engaging in making laws for Wales and holding the Welsh Government to account.

3. *All minutes, notes, emails that contain information and reference to the topic of armed/firearms officers covering the last calendar year.*

The information requested is withheld under Section 36(2)(b)(i,ii) and (c) of the Act which provides:

- *Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—*
  - (b) would, or would be likely to, inhibit—*
    - (i) the free and frank provision of advice, or*
    - (ii) the free and frank exchange of views for the purposes of deliberation, or*
  - (c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.*

This information is exempt from disclosure under section 36 of the Act where certain criteria are met. In particular, if in the reasonable opinion of a qualified person, disclosure of the information would, or would be likely to, inhibit the free and frank provision of advice, the free and frank exchange of views for the purposes of deliberation, and would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs, its disclosure is exempt. In this instance, the Presiding Officer is the “qualified person”.

The Assembly Commission (“the Commission”), as a corporate body, has responsibility for the provision of property, staff and services to support the Assembly Members.

The Presiding Officer (who Chair’s the Commission) considers that disclosure would inhibit the free and frank provision of advice and the free and frank exchange of views for the purposes of deliberation because:-

- the providing of open, honest and accurate information is an integral and essential part of the functioning of the Commission;
- the effective functioning of the Commission will be impaired if highly confidential briefings and advice were not presented to them in advance of/or at the meetings;
- a resilient channel of communication between the Commission, Assembly Officials and external advisers such as South Wales Police is key to the success of the decisions making process. Written communication is of particular importance given the Commission’s activities;
- it is paramount that external advisers feel secure in their ability to express their views in an open and frank manner in written and verbal form to the Commission. Disclosure of the requested information would deter external advisers, in future, from being open and frank with the Commission;
- in turn this would be likely to affect the quality of decision-making and thus diminish the effective functioning of the Commission;

- disclosure would also have the effect of reducing the relationship of trust between the Commission and South Wales Police. This relationship is essential to the integrity of decision-making by the Commission when considering matters relating to the security of the estate and surrounding area.

The Commission considers it vital, for the effective exercise of its functions, to maintain the confidence of its stakeholders amongst whom the elected Members of the Assembly, individually and collectively, are key parties. An important element of this is the willingness of the Members to provide information and to respond to consultations in a full and frank manner.

Section 36 is a “qualified exemption”. This means that a “public interest test” must be carried out by the Presiding Officer. The purpose of this test is to decide whether the public interest in maintaining the exemption outweighs the public interest in disclosure. In carrying out the public interest test it is considered that the factors listed above outweigh the public interest in disclosure.

For the reasons set out above, we will not be providing the information which you requested.

*4. Details of the steps taken to advise members of the public they are entering a premises where armed officers are on patrol.*

We do not hold any recorded information relating to your request.

Your request has been considered according to the principles set out in the Code of Practice on Public Access to Information. The code is published on our website at [http://www.assemblywales.org/abthome/about\\_us-commission\\_assembly\\_administration/abt-foi/abt-foi-cop-pub.htm](http://www.assemblywales.org/abthome/about_us-commission_assembly_administration/abt-foi/abt-foi-cop-pub.htm)

If you have any questions regarding this response please contact me. If you feel you have cause for complaint, please follow the guidance at the end of this letter.

Yours sincerely,

**Freedom of Information and Project Support Officer  
National Assembly for Wales**

Cause for concern or complaint with your FOI response?

If you believe that I have not applied the Code correctly or have not followed the relevant laws, you may make a formal complaint to the Chief Executive and Clerk at the National Assembly for Wales, Cardiff Bay. Details of the Assembly's complaints principles are set out in the Code of Practice on Complaints available on the Internet at <http://www.assembly.wales/en/help/contact-the-assembly/con-complaint/Pages/con-complaint-procedure.aspx>. Please advise me if you wish to receive a printed copy.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF