

T/Chief Constable
T/Chief Constable Darren Martland
Police Headquarters
Carleton Hall Penrith,
Cumbria
CA10 2AU



5th August 2025

Dear

FREEDOM OF INFORMATION REQUEST – FOI 700/25 Palestine Action

I refer to your request for information which was received by Cumbria Constabulary on 7th July 2025. I note you seek access to the following information:

Please state how many reports your police force received on the 5th and 6th of July 2025 regarding potential Terror Offences in relation to Palestine Action, which is now a proscribed terror group.

For the avoidance of doubt, this should include all reports received at any time on these two days, including reports sent electronically via email or via your website, as well as reports received via phone, in person, or any other way.

Cumbria Constabulary can neither confirm nor deny the information you seek is held as the duty in Section 1(1)(a) of the Freedom of Information Act does not apply by virtue of the following exemptions.

- Section 23(5) - Information supplied by, or relating to, bodies dealing with security matters
- Section 24(2) - National Security
- Section 30(3) – Investigations and proceedings conducted by public authorities
- Section 31(3) - Law Enforcement
- Section 40(5) – Personal Information

Section 23(5) is an absolute class-based exemption which means it is not necessary to describe the harm that would be caused by confirming or denying if the requested information is held and nor is there a requirement to undertake a public interest test.

Sections 24(2) and 31(3) are qualified prejudice-based exemptions which means it is necessary to describe the harm that would be caused by confirming or denying the information you have requested is held. There is also a requirement to consider if the public interest considerations in favour of confirming or denying information is held, outweigh the considerations of not doing so and I have set out the relevant considerations below for your information.

Section 30(3) is a qualified, class-based exemption which means there is no requirement to describe the harm that would be caused by disclosing the information, but there is a requirement to determine if the public interest considerations in favour of maintaining the exemption outweigh the considerations in favour of disclosing the information

Section 40(5) is an absolute exemption, which means there is no requirement to consider whether the public interest considerations in favour of withholding the information would outweigh the considerations in favour of its release.



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Overall NCND Harm for Sections 24 and 31

Any release under FOIA is a disclosure to the world, not just to the individual making the request. To confirm or not whether any information is held pertinent to this request would reveal whether or not there has been any information received on the dates specified, in respect of potential terrorism or terrorist related activity.

Police forces work in conjunction with other agencies and information is shared in line with information sharing protocols. Modern day policing is intelligence led and this is particularly pertinent with regard to both law enforcement and national security. The public expect police forces to use all powers and tactics available to them to prevent and detect crime or disorder and maintain public safety.

To provide the requested data, if held, for an individual force, would allow comparison between forces across the country and enable terrorists to build a picture of the effectiveness of what resources are in place and where they are deployed. Disclosure would ultimately prejudice the effectiveness of the national counter terrorism effort and would allow inferences to be drawn about force level counter-terrorism activity and identify vulnerability around the country.

If Cumbria Constabulary were to confirm or deny any information was held in respect of this request, this would undermine an individual force's policing capabilities, which consequently would be detrimental to our ability to deal with the on-going terrorist threat we face.

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 encourage, support, commit or plan to commit acts of terrorism.

To achieve this goal, it is vitally important that information sharing takes place between police officers, members of the public, police forces as well as other security law enforcement bodies within the United Kingdom. Such an action would support counter-terrorism measures in the fight to deprive terrorist networks of their ability to commit crime.

The impact of providing information under FOI would provide crucial information on the police intelligence picture in respect of those who may be supportive of a proscribed organisation and to what extent they may be engaged in terrorist activity. This would provide criminals including terrorists or those intent on committing criminal or terrorist acts, with valuable information as to where the police are targeting their investigations. Confirmation or denial would undermine the effective delivery of operational law enforcement by highlighting which areas have or have not received police attention from these type of reports. Furthermore, intelligence would be weakened thereby undermining national security and leaving the United Kingdom at risk of more terrorist attacks.

Public Interest Test

Factors favouring confirmation or denial for S24 - The public are entitled to know how public funds are spent and resources distributed within an area of policing, particularly with regard to how the



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police investigate reports of terrorism or terrorist related activity. Furthermore, confirmation or denial may improve public debate and assist the public to take steps to protect themselves.

Factors against confirmation or denial for S24 - Taking into account the current security climate within the United Kingdom, no information which may aid a terrorist should be disclosed, if held. 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.

The public entrust the Police Service to make appropriate decisions with regard to their safety and protection. 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 build a picture of vulnerabilities. The more information disclosed over time will provide a more detailed account of the tactical infrastructure of not only a force area but also a country as a whole. Any incident that results from such a disclosure would by default affect National Security.

Factors favouring confirmation or denial for S30 - There is a public interest in the transparency of policing and to provide assurance that Cumbria Constabulary is appropriately and effectively dealing with crime. Confirming or denying that any information exists relevant to this request would lead to a better informed public demonstrating that police resources are being utilised correctly to focus on criminal/terrorist activity and to protect the public.

This would provide an insight into the police service and enable the public to have better understanding of effectiveness of the police, particularly in relation to the spending of public funds and the decisions taken by officers. As transparency is intrinsically linked to public confidence, confirming or denying whether any information is held, would be likely to improve public confidence in the force.

Factors against confirmation or denial for S30 - Whilst there is a public interest in the transparency of policing operations and providing assurance that Cumbria Constabulary is appropriately and effectively dealing with crime, there is a strong public interest in safeguarding the integrity of police investigations and operations, particularly where they relate to terrorist activity, and in maintaining confidence in the Police Service. As this is a specific area of investigation which could also relate to inviting support for a proscribed terrorist group(s), confirmation or denial would identify police focus and attention which could be used by criminals, including terrorists to disrupt investigations and evade detection. This risks the integrity of investigations and places the public at severe risk.

Factors favouring confirmation or denial for S31 – National counter terrorism data is published by the Home Office on a quarterly and annual basis, which includes those who have been charged and convicted for membership of a proscribed organisation under Sections 11-13 of TACT 2000. In addition, those who have been proceeded against and convicted by the CPS in relation to the above offences (see link below), and this in itself favours confirming information is held.

<https://www.gov.uk/government/collections/counter-terrorism-statistics>

Therefore, to confirm information is held by Cumbria Constabulary would demonstrate openness and transparency. When a request for information is made to the force it is correct that the police make appropriate information available to the general public. The provision of information, through confirming or denying whether information relevant to this request is held would accordingly, reinforce our commitment to be an open and transparent organisation.

Factors against confirmation or denial for S31 – Cumbria Constabulary 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 (by citing an exemption or stating no information held) that would undermine the security of the national infrastructure. Offenders, including terrorist organisations, could use this



to their advantage which would compromise public safety and more worryingly encourage offenders to carry out further crimes.

Therefore, confirming or denying information is held, would allow terrorists to gain an operational advantage over Cumbria Constabulary, therefore requiring an increase in resources, which cannot be in the public interest.

Overall Balance Test

The points above highlight the merits of confirming, or denying, whether any further information pertinent to this request exists.

The security of the country is of paramount importance and Cumbria Constabulary will not divulge whether any information is or is not held if to do so it would undermine National Security, our law enforcement functions, the investigative process or place the safety of individual(s) at risk. Whilst it is recognised that there is a public interest in the transparency of policing operations and providing assurance that the police service is appropriately and effectively engaging with the threat posed by various groups or individuals, there is a very strong public interest in safeguarding the integrity of police investigations and operations in this highly sensitive 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 exception circumstances. Areas of interest to the police are sensitive to the extent that they reveal local intelligence.

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. Confirming or denying whether any information is held would reveal data around force level activity relating terrorism. This would result in an increase of harm to either current or future investigations, or the subject of the investigation. Any disclosure of information, if held, which has the potential to jeopardise an investigation, is therefore likely to prejudice law enforcement and would therefore be of assistance to those intent on causing harm.

By its very nature, information relating to the support or membership of a proscribed organisation investigations undoubtedly undermines National Security. 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, the Government and its employees.

Therefore, after weighing up the competing public interests, I have found that confirmation or denial whether information is held is not made out.

However, no inference can be taken from this refusal that further information does or does not exist.

Complaint Rights

If you believe your request has not been properly handled, or you are otherwise dissatisfied with the outcome of your request, you have the right to request an internal review.

In the first instance, please email freedomofinformation@cumbria.police.uk quoting the FOI reference number and explain why you are dissatisfied. Your complaint will be considered and a response will be provided to you after your complaint has been investigated.

If you remain dissatisfied following conclusion of the internal review, you have the right, under section 50 of the Freedom of Information Act, to complain directly to the Information Commissioner.

The address for the Information Commissioner can be found below:



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The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Complaints to the Information Commissioner can also be made online:

[Make a complaint | ICO](#)

I would like to take this opportunity to thank you for your interest in Cumbria Constabulary.



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