



Home Office

**Office for Security and
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Mr Anthony Bennett

request-303058-ed173e12@whatdotheyknow.com

Date: 14 January 2016

FOI Ref: 37614

Dear Anthony

Thank you for your e-mail of 17th November 2015, in which you ask for the following information in relation to the 'seven terrorist plots foiled' announced by the Prime Minister on the 16th November;

- The precise dates (or if not known, give the approximate dates) when these seven terrorist attacks were planned to take place;
- In each case, give the locations where these terrorist attacks were planned to take place;
- In each case, state how many individuals are known or thought to have been involved in conspiring to commit each terrorist attack;
- In each case, state how many individuals have been:
 - arrested and questioned
 - charged with a criminal offence (if charged, state what offence they were charged with)
 - successfully prosecuted and convicted of terrorist-related offences
- Overall, out of the total numbers involved in planning these terrorist offences, please state how many are now either in custody or prison.

Your request has been handled as a request for information under the Freedom of Information Act 2000.

The Home Office publishes a quarterly statistical bulletin which contains the numbers of charges and convictions in the UK for terrorism offences. The most recent bulletin can be found on the Home Office Website at the following link;

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

The bulletin does not break the statistics down on a case-by-case basis, but the CPS Counter-Terrorism Division publish a list of successful prosecutions on their website, which dates back to 2006. They provide details and background on each case up until 2014 and the list can be found here;

<http://cps.gov.uk/publications/prosecution/ctd.html#a02>.

Section 21 of the Freedom of Information Act exempts the Home Office from having to provide you with this information, because it is already reasonably accessible to you. If you have any difficulties in accessing this information at the source which I have indicated, please contact us again.

We also believe that the exemptions at section 23(1) (information supplied by, or relating to, bodies dealing with security matters, and section 24(1) (national security), apply to some of the information you have requested.

Furthermore, with regard to the part of your request concerning arrests and charges, we neither confirm nor deny whether we hold this information with reliance on the exemption at section 31(3). This exempts us from the duty to confirm or deny whether information is held if it relates to law enforcement.

Please find further details of these 3 exemptions in the **Annex** to this letter.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference **37614**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Rights Team
Home Office
4th Floor, Peel Building
2 Marsham Street
London SW1P 4DF
e-mail:FOIRequests@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

FOI Team

Annex

Sections 23(1), 24(1) and 31(3) of the Freedom of Information Act state:

“23(1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

24(1) Information which does not fall within subsection 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.

(31) 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,*
- (c) the administration of justice,*
- (d) the assessment or collection of any tax or duty or of any imposition of a similar nature,*
- (e) the operation of the immigration controls,*
- (f) the maintenance of security and good order in prisons or in other institutions where persons are lawfully detained,*
- (g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2),*
- (h) any civil proceedings which are brought by or on behalf of a public authority and arise out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment, or*
- (i) any inquiry held under the Fatal Accidents and Sudden Deaths Inquiries (Scotland) Act 1976 to the extent that the inquiry arises out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment.*

31(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection(1)'

Section 23 is an absolute exemption and therefore no public interest test is required, whereas section 24 and 31 are both qualified exemptions and do require public interest tests which are set out below.

Public interest considerations in favour of disclosing the requested information – Section 24(1)

The Home Office accepts that there is significant public interest in matters surrounding the seven foiled terrorist plots announced by the Prime Minister last November. Disclosing the information requested would increase transparency, and inform public debate. It may also help generate confidence in the police and security agencies.

Public interest considerations in favour of withholding the requested information exemption – Section 24(1)

The Home Office recognises that safeguarding national security is of paramount importance; especially in light of recent terrorist-related activity/alerts. Consequently, some

of the information contained within the scope of your request would seriously undermine the government's ability to maintain national security if it were to be released.

Balance of the public interest – Section 24(1)

We conclude that the balance of the public interest lies in withholding the requested information.

Public interest considerations in favour of confirming or denying whether the information is held – Section 31(3)

To confirm or deny whether the information is held regarding arrests and charges would reveal whether the Home Office has information on the specific terrorist plots in question. The issues surrounding the plots are of significant public interest. Increased openness with regard to where, when and how these plots were foiled would increase understanding and transparency in this area and inform the public debate.

Public interest considerations in favour of maintaining the exclusion of the duty to neither confirm nor deny – Section 31(3)

In this instance, maintenance of the exclusion of the duty to confirm or deny whether the department holds the information you have requested is required for the purpose of safeguarding national security. It therefore follows that if details of any plots were revealed it could prejudice ongoing investigations or trials of the individuals involved or linked to the plots.

Balance of the public interest test - Section 31(3)

We assess that maintaining law enforcement capabilities is of overriding importance and that in this instance, the public interest is best served by neither confirming nor denying whether the Home Office holds information relating to arrests and charges of any individuals.

This should not be taken as conclusive evidence that the information you have requested is, or is not held, by the Home Office.