

Owen Tyley
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Date as email

Dear Owen Tyley,

FOI-21-4022

Thank you for your information request which was received on 31 January 2021. Your request has been considered under the Freedom of Information ('FOI') Act 2000 ('the Act').

REQUEST

"I require a copy of any risk assessments made prior to the 1st of February, regarding the eviction of protestors from Euston Square Gardens. This is to include any risk assessments made by subcontractors, including but not limited to Control Risks Group Holdings Ltd. and any subsidiaries and the High Court Enforcement Group Ltd. and any subsidiaries."

RESPONSE

I can confirm that HS2 Ltd holds information relevant to your request, however we are withholding this on the following grounds.

Section 31(1)(a) – Law Enforcement – Prevention of crime

Section 31(1)(a) provides an exemption from the right to information if its disclosure into the public domain would, or would be likely to, prejudice the prevention or detection of crime. In this case the exemption is engaged because releasing the risk assessment for the operations to evict protestors would prejudice the prevention of crime by facilitating the possibility of a criminal offence being carried out. Providing the detail contained within the risk assessments would provide useful intelligence to those wishing to disrupt HS2 Ltd's security functions now and in the future.

Further information on section 31 is available via the following link:

<http://www.legislation.gov.uk/ukpga/2000/36/section/31>

Please see **Annex A** for further information about the relevant Public Interest Test for Section 31(1)(a).

Section 38(1)(b) – Endanger the safety of any individual

Section 38(1)(b) provides an exemption from the right to information if its disclosure into the public domain would result in the endangerment of the safety of any individual. In this case the exemption is engaged because releasing the risk assessment related to the operations to evict the protesters from Euston Square Gardens would result in the risk of accident to protesters as well as those involved in carrying out the eviction. Providing the detail contained within the risk assessments would prejudice HS2 Ltd's ability to safely execute evictions now and in the future.

Further information on section 38 is available via the following link:

<http://www.legislation.gov.uk/ukpga/2000/36/section/38>

Please see **Annex B** for further information about the relevant Public Interest Test for Section 38(1)(b).

For an update on the eviction of protesters from Euston Square Gardens please see our statement on our media centre via the link below.

<https://mediacentre.hs2.org.uk/news/statement-from-hs2-ltd-1>

Right to Review

If you are unhappy with the way we have handled your request or with the decisions made in relation to your request, you may complain in writing to HS2 Ltd. Please find below details of HS2 Ltd's complaints procedure which includes your right to complain to the Information Commissioner. Please remember to quote reference number **FOI-21-4022** in any future communication relating to this request.

Yours sincerely

J. Palmer

Briefings, correspondence & FOI Adviser
High Speed Two (HS2) Limited

Your right to complain to HS2 Ltd and the Information Commissioner

You have the right to complain to HS2 Ltd within 40 working days of the date of this response about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

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