



Home Office

**Office for Security and
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Ranjan Kumaran

Request-328392-0124fv73@what do they know.com

FOI Ref:39301

Date: 28 April 2016

Dear Mr Kumaran

Thank you for your e-mail of 13 April 2016 , in which you raise concerns about the cost of security for Tony Blair and specifically the cost in 2014 and 2015 and any financial statements in which this is accounted for.

We neither confirm nor deny whether the Home Office holds any information relating to the cost of security for Tony Blair in the years 2014 and 2015 or any financial statements in which this is accounted for by virtue of sections 24 (2), 31 (3) and 38 (2) of the Freedom of Information Act, which relate to national security, law enforcement and health and safety.

These sections exempt us from our duty to say whether or not we hold the information you ask for. Further explanation of this decision, including the relevant public interest test, can be found in the annex to this letter. This response should not be taken as conclusive evidence that the information you have requested exists or does not exist.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting your complaint within two months to the below address quoting reference **39301** to:

Information Rights Team

Home Office

4th Floor, Peel Building

2 Marsham Street

London SW1P 4DF

E-mail: FOIRequests@homeoffice.gsi.gov.uk

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

I realise that you may be disappointed with this response. However we have considered the application of exemptions with great care in this case, and the Home Office always seeks to provide as much information as it is able to.

Yours sincerely,

FOI Team

Public Interest Tests

Some of the exemptions in the FoI Act, referred to as “qualified exemptions”, are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in favour of withholding the information, or the considerations for and against the requirement to say whether the information requested is held or not. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The “public interest” is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. The “right to know” must be balanced against the need to enable effective government and to serve the best interests of the public.

The FoI Act is “applicant blind”. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK.

Section 24(2) NCND-National Security- states:

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.

(2) The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.

Section 38(2) – Health and Safety- states:

38(1) Information is exempt information if its disclosure under this Act would, or would be likely to –

(a) endanger the physical or mental health of any individual, or

(b) endanger the safety of any individual.

(2) 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, have either of the effects mentioned in subsection (1).

Section 31 (3) Law Enforcement -states:

(1) 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,

(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).

Public interest considerations in favour of confirming whether the information is held

There is a general public interest in openness and transparency in Government, which can help to maintain public trust.

Information relating to the questions asked about the government’s protective security measures in relation to key public figures are clearly matters of public interest. We

recognise that there is a legitimate interest in knowing how and where these resources and efforts are focused. The Home Office recognises there is a general public interest the subject, and confirming or denying whether we hold the information could increase public understanding and reassurance, and inform public debate.

Public interest considerations in favor of maintaining the exclusion of the duty to either confirm or deny

The Government recognises its duty to protect the public and individuals, and we will not jeopardise this duty by confirming or denying if we hold information, which would weaken our ability to protect. Confirming or denying whether any information is held would reveal sensitive information about security measures into the public domain and could make this information accessible to criminals or terrorists and subsequently compromise public and individual safety, and police protective security measures. Groups planning attacks are known to conduct extensive research into the opposition they might face, and confirming or denying whether any information is held about security operations including costs, no matter how innocuous it might appear, might enhance the capability of terrorists to carry out such attacks.

Confirming or denying whether any information is held could enable terrorists to gain knowledge about police capabilities and security measures, and such individuals may plan attacks where they perceive a lower level of police and security resources. This exposes the public to a greater risk. However, by neither confirming nor denying that any information is held, those with the inclination to commit acts of terrorism will not have access to knowledge about any increase of threat to specific areas or individuals, and they will be prevented from exploiting such information in order to target those areas or individuals.

Neither confirming nor denying that any information is held would also prevent law enforcement resources and resulting tactics from being compromised and retain the Government's and Police's ability to protect individuals. Whilst the Home Office wishes to be as open as possible, we would not disclose any information that may expose those attending such an event, now or in the future, to a risk of harm.

Similarly, we neither confirm nor deny any information that may compromise the health and safety of an individual. Confirming or denying information about specific security measures would increase the risk of physical injury to the protected person, their family and persons involved in the protection operation. Confirming or denying if the Home Office holds the information requested would potentially jeopardise the personal security of concerned individuals, and organisations by potentially making them targets of reprisals or reactions, thereby putting their wellbeing in danger, and endangering their health and safety. We assess that the health and safety of those engaged by HM Government 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 the information requested.

Balance of the public interest test

Safeguarding national security and public protection is of paramount importance. The Home Office will not divulge any information that would place the safety of an individual at risk or undermine national security. Whilst there is a public interest in the transparency of government and policing resources, and in this case providing assurance that such resources have been used appropriately and effectively, there is a very strong public interest in safeguarding both national security and the integrity of police investigations and operations and public and individual safety.

We have determined that safeguarding national security interests, law enforcement and policing activity and the health and safety of an individual, is of paramount importance and that in all circumstances of the case it is our opinion that the public interest clearly favours the maintenance of the exclusion to neither confirm nor deny whether we hold the requested information.

This response should not be taken as conclusive evidence that the information you have requested exists or does not exist.