



CIVIL NUCLEAR CONSTABULARY

Email

[REDACTED]

The Executive Office

Civil Nuclear Constabulary

Building F6 Culham Science Centre

Abingdon

Oxon

OX14 3DB

Tel: 03303 135400

Website: <https://www.gov.uk/cnc>

19th April 2021

Dear [REDACTED]

I am writing in response to your request for information regarding the below. Your request has been handled under Section 1(1) of the Freedom of Information Act 2000. In accordance with Section 1(1) (a) of the Act I hereby confirm that the CNC/CNPA does hold information of the type specified.

I am the managing director of a British based manufacturing company specialising in body armour solutions.

As part of our company strategy we are looking to increase the company's market share in the UK Police sector.

I kindly request the following information in accordance with the freedom of information Act 2000, with regard to your forces purchases of body armour. This information will enable VestGuard UK Ltd to ensure its research and development team are focussed on solutions that would best serve the UK Police forces while providing our bid managers with useful information to ensure our bids for future Police tenders are competitive.

QUESTIONS	REPSONSES
1. Who is/are your current supplier/s	Cooneen Protection Ltd (formerly Hawk Protection Ltd)
2. When does the contract end	20 th May 2021
3. How long was the contract	2 years but has been longer due to

term	changes and delays in Standards being published by CAST and suppliers abilities to test against it.
4. When will the new procurement process start	Not applicable – already using YPO framework in tender with a supplier – final trialling stage.
5. What is the current level of protection	Exempt under S24 (National Security) and S38 (Health and safety)
6. What is the current unit price per vest	Exempt under S43 (Commercial interests)
7. What was the total value of the contract award	Estimated at £500,000.00 – OJEU Notice was published at award – public domain
8. How many units of body armour have been purchased during the contract term	Exempt under S24 (National Security) and S38 (Health and safety)

Questions 5 and 8 are exempt under S24 National Security and S38(1) Health and Safety.

The threat from terrorism cannot be ignored. It is generally recognized that the international security landscape is increasingly complex and unpredictable. Since 2006 the UK Government has published the threat level based upon current intelligence and that threat is currently at “substantial”. The release of this level of detail into the public domain is likely to assist potential terrorists, thus seriously threatening national security. Members of the criminal fraternity are also likely to benefit from the disclosure as it will increase the publicly available knowledge of the capabilities of the Civil Nuclear Constabulary, potentially making it easier to commit offences. Disclosure of the information would also assist with the disruption and avoidance of any police response to an unlawful activity, whether that activity is terrorist related or not.

The disclosure would therefore be likely to make it easier to commit offences and would also inevitably endanger the safety of those persons working at the sites, members of surrounding communities and also police officers.

Public Interest Test

Considerations favouring disclosure under Section 24

Disclosure of the information requested would enable the public to gauge the efficiency and effectiveness of the plans in place to prevent and detect

potential terrorist activity. The public are entitled to know how the police service undertakes its duties to be reassured that forces are doing as much as possible to combat terrorism.

Factors favouring non-disclosure under Section 24

Disclosure would enable the Constabulary to demonstrate awareness of potential issues that may impact upon the community and provide reassurance to the public that the police have the ability and resources in place to prevent and detect any such criminality. Better public awareness may reduce crime or lead to more information from the public as they may become more observant in reporting suspicious activity.

Considerations favouring disclosure under Section 38

The public are entitled to know what areas of criminal activity the police service allocate public funds to, therefore by disclosing this information would lead to better informed public awareness and debate. Disclosure of the information would assist communities to be more aware of the level of protection afforded to them.

Considerations favouring non-disclosure under Section 38

Public safety is of paramount importance to the police service and its partner agencies. In this case the disclosure of information may assist terrorists to further their aims by violent means, thus putting the safety of members of the public and police officers at risk. Whilst wishing to embrace the ethos of information disclosure, this cannot take precedence over public safety.

The disclosure of information designed to safeguard the public is also likely to lead to a loss of confidence in the Constabulary's ability to protect the well-being of the community.

Balance Test

Whilst I acknowledge that there is a legitimate public interest in disclosing the information requested, the Police Service will not divulge information if to do so will prejudice national security or place the safety of any individual at risk. Whilst there is a public interest in the transparency of policing operations and in this case providing assurance that the police service is appropriately and effectively engaging with the threat posed the risk of terrorism and other more common forms of criminality, there is a strong public interest in safeguarding the integrity of the police in this highly sensitive area.

Having weighed up the competing arguments, I have concluded that on this occasion the public interest is best served by maintaining the exemptions afforded by Sections 24 and 38. I have therefore decided to refuse to release information to answer questions 5 and 8. .

Question 6 is exempt under Section 43(2) due to the fact that the disclosure of the information could prejudice the commercial interests of any person. Section 43(2) is a prejudice-based exemption, so the test for exemption is whether or not the individual's commercial interests would be prejudiced by disclosure and again, it is subject to balancing the public interest. It is recognised that there is a general public interest in the disclosure of commercial information to ensure, for example: transparency in the accountability of public funds; proper scrutiny of government action; and the effective use of public money. However, where disclosure would make it less likely that companies or individuals would provide the department with information in the future, or where disclosure would make it more difficult for individuals to be able to conduct commercial transactions, or have future dealings with public bodies, without fear of suffering commercially as a result, these are factors that may weigh in favour of non-disclosure. Given our assessment of the above factors, in this case, we consider the balance of public interest favours withholding this information. I have therefore decided to refuse to release the information to answer question 6.

The Civil Nuclear Constabulary is a specialist armed police service dedicated to the civil nuclear industry, with Operational Policing Units based at 10 civil nuclear sites in England and Scotland and over 1400 police officers and staff. The Constabulary headquarters is at Culham in Oxfordshire. The civil nuclear industry forms part of the UK's critical national infrastructure and the role of the Constabulary contribute to the overall framework of national security.

The purpose of the Constabulary is to protect licensed civil nuclear sites and to safeguard nuclear material in transit. The Constabulary works in partnership with the appropriate Home Office Police Force or Police Scotland at each site. Policing services required at each site are agreed with nuclear operators in accordance with the Nuclear Industries Security Regulations 2003 and ratified by the UK regulator, the Office for Nuclear Regulation (ONR). Armed policing services are required at most civil nuclear sites in the United Kingdom. The majority of officers in the Constabulary are Authorised Firearms Officers.

The Constabulary is recognised by the National Police Chiefs' Council (NPCC) and the Association of Chief Police Officers in Scotland (ACPOS). Through the National Coordinated Policing Protocol, the Constabulary has established memorandums of understanding with the local police forces at all 10 Operational Policing Units. Mutual support and assistance enable the Constabulary to maintain focus on its core role.

We take our responsibilities under the Freedom of Information Act seriously but, if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. We will investigate the matter and endeavour to reply within 3 – 6 weeks. You should write in the first instance to:

Kristina Keefe
Disclosures Officer
CNC
Culham Science Centre
Abingdon
Oxfordshire
OX14 3DB

E-mail: FOI@cnc.pnn.police.uk

If you are still dissatisfied following our internal review, you have the right, under section 50 of the Act, to complain directly to the Information Commissioner. Before considering your complaint, the Information Commissioner would normally expect you to have exhausted the complaints procedures provided by the CNPA.

The Information Commissioner can be contacted at:

FOI Compliance Team (complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you require any further assistance in connection with this request please contact us at our address below:

Kristina Keefe
Disclosures Officer

CNC
Culham Science Centre
Abingdon
Oxfordshire
OX14 3DB
E-mail: FOI@cnc.pnn.police.uk

Yours sincerely
Kristina Keefe
Disclosures Officer