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28/05/2026

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 2856/2026

Thank you for your request for information regarding the PCMT Code of Conduct, which has now been considered.

Applicant Question:

Could I please submit an FOI request to obtain:

- the PCMT Code of Conduct

NPCC Response:

The NPCC does hold information captured by your request.

The PCMT Code of Conduct has been attached to the response letter. It has been subject to minor redactions citing Section 24(1) National Security, Section 31(1) Law Enforcement and Section 40(2) Personal Information.

For more information on the legislation and the risk of harm, please see Annex A below.

Yours sincerely

Freedom of Information Officer & Decision Maker

www.npcc.police.uk

COMPLAINT RIGHTS

Internal Review

Any request for an internal review will be acknowledged and responded to, based on the specific wording of your initial request only.

We ask that any rationale to request an internal review, does not include any requests for new information and ask that these be submitted by separate email. We will acknowledge as a new request and may aggregate to your initial request in compliance with the legislation.

If you are dissatisfied with the response you have been provided with in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 40 working days of the date of this response.

The handling of your request will be looked at by someone independent of the original decision and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

Annex A

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

Legislation – Section 16

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.*

Legislation - Section 24 National Security

- (1) Information which does not fall within Section 23(1) is exempt information if exemption from Section 1(1)(b) is required for the purposes of safeguarding national security.*

Disclosure of Counter Terrorism(CT) related information in this case, specifically information concerning the software, systems, and technical tools used within Counter Terrorism policing, carries an inherent risk to national security. While increasing public understanding of terrorism threats can, in some contexts, support vigilance and community reporting, releasing detailed information about the technical means by which CT policing operates would go beyond general awareness and enter an area of operational sensitivity.

Information will not be disclosed where release would be likely to assist individuals to circumvent, exploit or undermine policing capabilities, whether for criminal, terrorist or other hostile purposes, and thereby place national security at risk. The withheld information relates to specialist technical measures that support CT policing functions and are deployed in specific operational contexts.

The information would allow individuals to infer the level of ability police forces maintain in regards to safeguarding national security. There is a significant risk that knowledge and understanding of any capabilities that the police have would allow terrorists or individuals to undermine or circumvent the police thereby prejudicing the ability to maintain national security.

Disclosure of this information would enable individuals to infer the nature, scope, and level of technical capability held by policing in relation to countering terrorism. There is a significant risk that such knowledge would allow terrorists or those seeking to support them to adapt their behaviour, evade detection, or take steps to neutralise or bypass policing safeguards, which would prejudice the ability of the police service to protect the public and maintain national security.

Any release under the Freedom of Information Act is effectively a disclosure to the world at large. Confirming the use, function or scope of the withheld information would prejudice law enforcement by revealing sensitive methods and techniques. This would be damaging to operational effectiveness, as criminals or terrorists could gain a clearer understanding of how CT policing operates, enabling them to take countermeasures or refine their activities accordingly. It could also alert individuals engaged in terrorism-related activity to the types of counter-

terrorism measures that may already be in place.

It is recognised that there is a legitimate public interest in transparency and accountability regarding the use of public funds and in ensuring that the police service is acting lawfully and proportionately. However, the protection of national security and public safety must take precedence. The police service will not disclose information where doing so would compromise sensitive technical capabilities, place individuals at risk, or undermine the effectiveness of counter-terrorism operations.

While there is a public interest in reassurance that the police service is effectively safeguarding the public and addressing terrorism-related threats, there is a very strong and overriding public interest in ensuring that the technical tools and systems used to achieve this aim remain protected. Disclosure in this highly sensitive area would be likely to cause real and significant harm to national security and therefore is not in the public interest.

Legislation - Section 31 Law Enforcement

- (1) Information which is not exempt information by virtue of section 30 is exempt information if*
(a) the prevention or detection of crime,
(b) The apprehension or prosecution of offenders

The NPCC is committed to demonstrating proportionality and accountability. The public are entitled to know how public funds are spent and disclosure of the requested information would allow the public to see where money is being spent and would allow the public to understand that the police are robust in preventing and investigating terrorism-related activity. This would enable the public to have a better understanding of the efficiency of the NPCC in carrying out its law enforcement role and demonstrate our commitment to openness and transparency.

Disclosure of the redacted information would enable those with criminal intent to take measures to counteract the tactical capabilities of police forces and undermine ongoing investigations or any future investigations which would enable targeted individuals / groups to become tactically aware of the police capabilities. This would help subjects and avoid detection, and inhibit the prevention and detection of crime. This places the community at increased unnecessary risk of harm and impacts on police resources if additional resources and tactics need to be put in place to counter any harm caused by an adverse FOIA disclosure.

Disclosure of this information would have the likelihood of identifying specific vulnerabilities within national policing, specifically Counter Terrorism Policing, which would ultimately compromise police tactics, operations and future prosecutions.

Any information identifying the focus of policing activity could be used to the advantage of criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on law enforcement. Public safety would be put at risk if criminals were able to counteract police tactics.

As above, 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 and maintain public safety. Releasing such information may provide those seeking to commit terrorist acts with an advantage over the police, as the information can be viewed as operationally sensitive.

The NPCC will not disclose information which may hinder the effective management of law enforcement or place staff, officers or members of the public 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 managing this area of policing, there is a very strong public interest in safeguarding the tactical abilities.

With regard the evidence of harm itself, there is a threshold that requires the predicted issues to be 'more than likely'. In the case of an offender identifying capability or processes or gleaning information which would assist in offending behaviour can be difficult to establish and evidence the harm without actually disclosing exempt information. However, the principles are well established in terms of Freedom of Information legislation that to a certain extent the professional opinion of the police must be taken into account.

The prevention and detection of crime is the foundation upon which policing is built and the police service have a clear responsibility to prevent crime and arrest those responsible for committing crime or those that plan to commit crime. Disclosure of information captured by this request could directly influence the stages of that process, and jeopardise current investigations or prejudice law enforcement.

As much as there is public interest in knowing that policing activity is appropriate and balanced in matters of national security and law enforcement, this will be overridden in exceptional circumstances. Whilst there is a strong public interest in the transparency of policing programmes and in this case, providing assurance that the police service and other stakeholders are appropriately and effectively engaging with one another, combating the threat posed by individuals with the intent to use violence and other illegal means, there is a very strong public interest in safeguarding both national security and the integrity of the stakeholders within the programme.

The NPCC will not divulge information if it is likely that it will compromise the work of the Police Service or place members of the public at risk. This will adversely affect policing's ability to detect this type of crime as it may alter the behaviours of those preying on vulnerable individuals. This in itself could put the individual's life at risk along with that of National Security. It is therefore our belief that the balance test lies in favour of not disclosing the information.

Legislation - Section 40 Personal Information

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if

- (a) it constitutes personal data which does not fall within subsection (1), and**
- (b) the first, second or third condition below is satisfied.**

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

- (a) would contravene any of the data protection principles, or
- (b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).

Any information to which a request for information relates is also exempt information if it constitutes personal data which do not fall within subsection (1), and either the first or the second condition is satisfied.

Section 40(2) applies to third party personal data. Any release would breach the data protection principles contained within the Data Protection Act 2018. Section 40(2) has been engaged by virtue of Section 40(3)(a)(i). Any disclosure of withheld information would breach the first data protection principle of fair and lawful processing.

This is an absolute exemption and there is no requirement to apply the public interest test.