

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 1 November 2022

**Public Authority:** Commissioner of Police of the Metropolis  
**Address:** New Scotland Yard  
Broadway  
London  
SW1H 0BG

### **Decision (including any steps ordered)**

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1. The complainant has requested information about expenditure on informants from the Metropolitan Police Service (the "MPS"). The MPS provided some information but would neither confirm nor deny (NCND) holding the remainder citing sections 23(5) (Information supplied by, or concerning, certain Security Bodies), 24(2) (National security), 30(3) (Investigations and proceedings), 31(3) (Law enforcement), 38(2) (Health and safety) and 40(5) (Personal information) of FOIA.
2. The Commissioner's decision is that the MPS was entitled to rely on section 23(5) or, in the alternative, section 24(2) to NCND whether it holds the requested information. No steps are required.

### **Request and response**

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3. On 28 October 2021, the complainant wrote to the MPS and requested information in the following terms:

"I would like to request the following information:

- (1) For the calendar years 2016, 2017, 2018, 2019, 2020 and available data for 2021, please state how much the police force has spent on informants. Please provide a breakdown by year.
- (2) For the calendar years 2016, 2017, 2018, 2019, 2020 and available data for 2021, please state how much the police force

has spent on informants in relation to Black Lives Matter. Please provide a breakdown by year.

- (3) For the calendar years 2016, 2017, 2018, 2019, 2020 and available data for 2021, please state how much the police force has spent on informants in relation to environmental groups and environmental protests.

Please provide a breakdown by year”.

4. On 4 December 2021, following an extension to the time limit in which it considered the public interest, the MPS responded. It provided a response to part (1) of the request. It would NCND holding the remaining information citing sections 23(5), 24(2), 30(3), 31(3), 38(2) and 40(5) of FOIA.
5. The complainant requested an internal review on 1 January 2022, in which she expressed dissatisfaction with the response to parts (2) and (3) of her request.
6. The MPS provided an internal review on 13 January 2022 in which it maintained its original position.

## **Reasons for decision**

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### **Section 23 – Information supplied by, or relating to, bodies dealing with security matters**

### **Section 24 – National security**

7. The Commissioner has recently dealt with a similar case to this whereby that complainant requested details of payments made to informants in connection with Black Lives Matter and a different organisation.
8. In his decision regarding that case (IC-144695-Q9L7), the Commissioner determined that the MPS was entitled to rely on section 23(5) or, in the alternative, section 24(2) to NCND holding the requested information. Although this request also refers to environmental groups / protests, which were not the subject of that investigation, the rationale remains the same.
9. Therefore, rather than reiterate his position here, the Commissioner has drawn the same conclusion. He is satisfied that MPS was entitled to rely on section 23(5) and 24(2) in the circumstances of this case. He also finds that the public interest in maintaining the exemption at section 24(2) outweighs the public interest in confirming or denying that the information is held.

10. Sections 23(5) and 24(2) of FOIA are properly engaged so he has not found it necessary to consider the other exemptions cited.

**Right of appeal**

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11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.

13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Carolyn Howes  
Senior Case Officer  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**