



University of East Anglia

Information Services Directorate

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Dear

Freedom of Information Act 2000 – Information request (ref: FOI_16-001)

We have now considered your request of 02 January 2016 for information relating to religious or racially-motivated hate speech or the commission of an offence under the Terrorism Act from January 1, 2015 to December 31, 2015. Our response is on page 3 of this letter, together with a copy of your request, and we hope this will meet your requirements.

The University of East Anglia neither confirms nor denies that it holds some of the information relevant to your request. The duty in section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of sections 24(2), 31(3), and 38(1) of that Act as explained below. This should not be taken as an indication that the information you requested is or is not held by the University.

Section	Description
24(2)	Exemption from section 1(1)(a) is required for the purpose of safeguarding national security.
31(3)	Compliance with section 1(1)(a) would, or would be likely to, prejudice the prevention or detection of crime, and/or the apprehension or prosecution of offenders
38(2)	Compliance with section 1(1)(a) would, or would be likely to, endanger the physical or mental health of any individual, or endanger the safety of any individual

Given the nature of the information concerned, any acknowledgement that the information relating to offences under the Terrorism Act is held, or not, would in itself impart relevant information and some of the negative consequences outlined above. We therefore neither confirm nor deny that the requested information is held and no inference can be taken from this refusal that the information you have requested does or does not exist.

The decision neither to confirm nor deny that information is held is subject to a public interest test and our consideration of this test is set out below.

The current threat level to the UK from terrorism is held to be 'severe'. There is public interest in the policing of this threat, in maintaining the transparency of policing and security operations, and in this case in providing assurance that the relevant authorities are appropriately and effectively engaging with the threat posed by domestic extremism and terrorist attacks through engagement with national bodies and other organisations.

Nonetheless, there are very strong arguments supporting non-disclosure. Modern-day policing and security operations are intelligence led, and intelligence changes on a day-by-day basis. To confirm or deny whether any information is held relating to terrorism offences could confirm that investigations are either on-going or are not, in fact, taking place.

Providing a response to questions 1 to 6 of your request in relation to offences under the Terrorism Act would, in combination with responses from other universities, enable those engaged in criminal activity to identify the focus of policing and security targets and would ultimately compromise police and security tactics, operations and future prosecutions, and compromise ongoing or future operations to protect the security or infra-structure of the UK and increase the risk of harm to the public.

The safety of the community is of paramount importance and any disclosure of police and security information and the organisations engaged with by the University in this area, however minor, may result in safety implications for the general public, thereby placing the safety of citizens at risk.

Whilst there is a public interest in the transparency of policing and security operations and providing assurance that the police and security services are appropriately and effectively engaging with the threat posed by extremists and terrorists, we believe that there is stronger public interest in safeguarding national security, public safety, and the integrity of police investigations and operations in this highly sensitive area.

It is therefore our opinion that for these issues the balancing test for confirming or denying that information is held is not made out.

No inference can be taken from this refusal that the information you have requested does or does not exist.

You have the right of appeal against this response. If you wish to appeal, please set out in writing your reasons for appealing and send to the above address. You must appeal within 60 calendar days of the date of this letter. Any appeal received after that date will not be considered nor acknowledged. This policy has been reviewed and approved by the Information Commissioner's Office.

You also have a subsequent right of appeal to the Information Commissioner's Office. Further information is available on their website:

https://ico.org.uk/Global/contact_us, or by telephone on 0303 123 1113.

Please quote our reference given at the head of this letter in all correspondence.

Yours sincerely

Dave Palmer
Information Policy and Compliance Manager
University of East Anglia

Response to Freedom of Information Act 2000 request (FOI_16-001)

Could you please provide the number of times the university has interviewed or reported a student to the police/relevant authorities on suspicion of carrying out religious or racially-motivated hate speech or committing an offence under the terrorism act from January 1, 2015 to December 31, 2015?

The University has not reported any students to the authorities on suspicion of carrying out religious or racially motivated hate speech in the specified period.

The University will neither confirm nor deny that it holds the requested information in relation to offences under the Terrorism Act for the reasons set out the above letter.

Could you please provide the nature of the suspected offence? ie. Hate speech inspiring others to commit terrorist acts or engaging in behaviour which was thought to be terrorist-related.

Could you make it clear where the university interviewed the students in question without reporting to authorities and also what action was taken by the university in those instances once the investigation was completed.

Where the university reported the matter to the relevant authorities, could you provide what course of action the university took against the student, if any?

Where a student is suspected of committing offences on multiple occasions, could this be made clear.

Could you also specify the sex and age of the student involved and provide this information in spreadsheet format where there are more than five examples.

For all the above questions, in relation to religious or racially motivated hate speech, the response, given our response to question 1, is that they are not applicable.

The University will neither confirm nor deny that it holds the requested information in relation to offences under the Terrorism Act for the reasons set out the above letter.