

Our Ref: FOI 22233
Your Ref: FOI 22051
Date: 18 December 2025

Internal Review

Re: Request for internal review of response to application for information under the provisions of the Freedom of Information Act 2000, original request first notified to Staffordshire Police on 04/11/2025.

We refer to the above request which was expressed in the following terms:

1. Data-sharing agreements / MoUs – copies of any memoranda of understanding, data-sharing agreements, written protocols or other arrangements between Staffordshire Police and Moog Aircraft Group UK (or its private-security contractors) permitting the sharing of CCTV footage, still images or biometric/visual identifiers.
2. Requests / disclosures of imagery – records or logs showing the number and dates of requests by Staffordshire Police to Moog (or its contractors) for CCTV or still-image material, and the number and dates of disclosures by Staffordshire Police of such imagery to Moog (or its contractors). If individual records cannot be released, please provide an anonymised summary table (date, parties, short subject).
3. Facial-matching / AFR / LFR – any documents, policies, or records describing or authorising use of Automated Facial Recognition (AFR), Live Facial Recognition (LFR) or manual facial-matching processes in relation to protests or incidents near Moog sites, including any Data Protection Impact Assessments.
4. Third-party imagery sharing – any correspondence or agreements describing the sharing of imagery, facial templates or watchlist information between Staffordshire Police and – Moog Aircraft Group UK; – Moog's private-security contractors; or – the Home Office, NPCC or other forces for the purpose of identifying protest participants.

I am not requesting evidential material from ongoing prosecutions; I recognise such material may be exempt under sections 30–31 FOIA. Where information is withheld, please specify the exemption(s) relied upon, indicate the extent of withheld material, and supply redacted versions or summaries where feasible.

Further to the above, we also note the following comments made within your request for Internal Review.

I am writing to request an Internal Review of Staffordshire Police's response dated 9 December 2025 to my FOI request (Ref 22051). This request concerns imagery-sharing, data-sharing practices, and any authorisations for facial-matching processes relating to Moog Aircraft Group UK.

Your response applied a blanket Neither Confirm Nor Deny (NCND) position under sections 24(1) (National Security) and 31(3) (Law Enforcement). For the reasons set out below, I believe this decision was incorrect, disproportionate, inadequately reasoned, and inconsistent with ICO guidance.

Grounds for Internal Review

1. Misapplication of s.24 and s.31 – No evidence of actual national-security or law-enforcement sensitivity

The harms articulated in the refusal are generic, boilerplate, and entirely untethered to the subject matter of the request. The material sought concerns:

- whether any formal agreements, policies, or arrangements exist between Staffordshire Police and Moog or its contractors; and
- whether any imagery or requests for imagery exist, at an aggregate/summary level.

The request explicitly avoided operational detail, investigative material, or evidential content from live cases.

Your response instead asserts—without any case-specific rationale—that even acknowledging whether such agreements exist would “provide adversaries with insight into protective strategies or vulnerabilities”. This is incompatible with established ICO jurisprudence, which requires:

- demonstrable, specific, real-world prejudice,
- not hypothetical possibilities at a high level of abstraction.

No such prejudice has been identified.

2. ICO guidance is clear that NCND cannot be used to shield administrative or corporate-governance relationships

The ICO has repeatedly held that NCND is not appropriate where:

- the information sought concerns administrative arrangements,
- contracts or MoUs between police and external organisations,
- data-sharing governance, or
- high-level policies that do not reveal operational vulnerabilities.

Examples include ICO decision notices such as FS50681618, FS50829842, and FS50906472, where forces were required to confirm or deny existence of MoUs or image-sharing arrangements with private retail partners.

Your response does not engage with this line of authority at all.

3. The harms asserted contradict publicly known facts

The High Court witness statement from Moog (cited in my request) already states that one defendant was “observed attending PA rallies”.

It is therefore already a matter of public record that:

- imagery was taken or reviewed, and
- some process of identification—manual or otherwise—occurred.

NCND cannot be used where the existence of the activity is already acknowledged in open court.

This is a critical procedural error.

4. Failure to consider partial confirmation/denial or partial disclosure

My request did not seek operational intelligence, CCTV footage, or surveillance product.

It requested only:

- whether agreements exist,
- whether requests occurred,
- whether policies exist,
- and, if so, the dates or high-level descriptors.

You have not assessed whether some elements could be confirmed, per s.1(1)(a), without prejudice.

Instead, a blanket NCND was applied unlawfully.

5. Public-interest balancing is flawed and incomplete

The public-interest test in your response does not address:

- police—private-sector accountability,
- use of biometric or visual-identification data about members of the public,
- compliance with data protection law,
- legitimacy of surveillance in the context of peaceful protest,
- transparency regarding identification methods referenced in High Court filings.

These are substantial public-interest factors that were not weighed at all.

6. Procedural and legal deficiencies in the refusal notice

Your refusal notice fails to:

- specify a realistic causal pathway for prejudice under s.24 or s.31;
- differentiate between the four questions asked;
- consider whether aggregate data could be released;
- consider whether harms differ between Moog requests vs. Home Office vs. NPCC;
- engage with Section 16 FOIA (duty to assist).

This is contrary to ICO Code of Practice (2024), section 5.19 onward.

Outcome sought

I request that the Internal Review:

1. Reassesses the applicability of NCND to each of the four questions individually; 2. Provides a lawful, evidence-based justification for any exemptions upheld; 3. Confirms whether any administrative agreements, logs, or policies exist; 4. Releases any non-exempt information, including redacted or summary versions; 5. Addresses the public-interest factors omitted from the original response.

Next Steps

If a compliant Internal Review is not completed within 20 working days, or if exemptions continue to be applied in a blanket and unreasoned fashion, I will escalate the matter to the Information Commissioner's Office, as advised in your own response.

Our Response

Upon review of your request for information under the Freedom of Information provision referenced above and all corresponding communication, we are of the opinion that the response issued, alongside all clarification provided, fully answers the terms of your request.

We also confirm that the application of all exemptions outlined within this response are fully justified, and that the explanations and rationale for their application conveyed clearly and unequivocally.

Please be advised that all FOI requests and response letters are published on the Staffordshire Police website although personal details are not included.

If you are not content with the outcome of the review, you may apply directly to the Information Commissioner to investigate. The Information Commissioner can be contacted at:
<https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

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