

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 16 February 2023

Public Authority: Home Office
Address: 2 Marsham Street
London
SW1P 4DF

Decision (including any steps ordered)

1. The complainant has requested the cost of providing security and protection to the Royal Family for a three year period, from the Home Office. The Home Office refused to provide the requested information citing sections 24(1) (National security), 31(1) (Law enforcement) and 38(1) (Health and Safety) of FOIA.
2. The Commissioner's decision is that section 24(1) is engaged and the public interest favours maintaining the exemption; the other exemptions have therefore not been further considered. No steps are required.

Background

3. The complainant previously submitted a request for: "The total cost of expenditure on protection for the Royal Family for the financial years 2017/18, 2018/19 and 2019/20", ie the cost for each year, which the Commissioner considered under case reference IC-81552-H4L0¹.

¹ <https://ico.org.uk/media/action-weve-taken/decision-notices/2022/4019501/ic-81552-h4l0.pdf>

Request and response

4. On 6 June 2022, the complainant wrote to the Home Office and requested the following:

“A single, total aggregated figure for the cost of providing security and protection to the Royal Family for the three-year period covering 2017/18, 2018/19 and 2019/20. Please provide this as a single aggregate figure for the three-year period, and NOT separate figures for each year in the period”.

5. The Home Office responded on 2 August 2022. It refused to provide the requested information citing sections 24(1), 31(1) and 38(1) of FOIA.
6. The complainant requested an internal review on 3 August 2022.
7. Following an internal review, the Home Office wrote to the complainant on 16 November 2022. It maintained its position.

Scope of the case

8. The complainant contacted the Commissioner on 28 November 2022 to complain about the way his request for information had been handled. He said:

“The issues in this case are substantially similar to those of IC-81552-H4L0 ... Following that Decision Notice, The Guardian submitted various requests to the Home Office for larger, aggregated time periods (e.g. the cost over ten years). The Home Office has now refused access to a request for an aggregate of the cost to the public purse of three years' funding for security provision to the British royal family. (N.B. I am grateful to the Home Office for handling my various requests on this subject as I attempted, ultimately unsuccessfully, to find a permutation that they might accept. This complaint is purely over the public interest reasoning; no other criticism is intended.) As with the original request, the Home Office argues that releasing any information about the cost of the security, including a single aggregate total cost for provision of security to all family members, with no breakdowns or further information, poses some unspecified but apparently unsurmountable risk to their personal safety. This argument remains flawed, for reasons we have previously articulated and are recapped in brief below:

1) The Home Office remains unable to articulate, in any reasonably or even slightly detailed manner, how knowing the cost of security provision helps a terrorist to overcome that security.

2) Other government departments (e.g. the Single Intelligence Account) and other countries (e.g. the US government) make headline figures of costs available to the public, without any resulting catastrophe”.

9. The Commissioner will consider the citing of exemptions below.

Reasons for decision

Section 24 – National security

10. Section 24(1) of FOIA states that information is exempt if it is required for the purpose of safeguarding national security.
11. National security means the security of the United Kingdom and its people. The previous decision notice, IC-81552-H4L0, includes a detailed analysis on the application of section 24(1) in what was a very similar request; the Commissioner doesn't deem it necessary to replicate that analysis here.
12. Case IC-81552-H4L0 concerned a request for the costs of security and protection to the Royal Family for three separate years. The Commissioner considers that this earlier case concerns similar data to what is being requested here, which seeks a combined request for the same three years.
13. In the Commissioner's view, the arguments and principles applied in that case apply directly to this case and he has therefore not included any further analysis here. Those views are further reflected in the detailed responses which the Home Office has already provided to the complainant.
14. In the Commissioner's opinion there is an obvious and weighty public interest in the safeguarding of national security. In the particular circumstances of this case the Commissioner agrees with the Home Office that it would be firmly against the public interest to divulge any details about costs for security and protection to the Royal Family. Even a combined cost for the three years specified would give some indication of the annual cost when simply divided by three. The resulting figure may be surprisingly low and, were this the case, then it could put those concerned at significantly more risk.

15. The Commissioner recognises that section 24 is not an absolute exemption and therefore there may be circumstances where the public interest favours disclosure of information which engages this exemption. However, in the Commissioner's opinion, and having considered any arguments put forward by the complainant, the public interest in disclosing the withheld information is outweighed by that in maintaining the exemption in this case.
16. In light of this decision, the Commissioner has not gone on to consider the other exemptions cited.

Right of appeal

17. 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: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

18. 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.
19. 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
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Wycliffe House
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SK9 5AF