

**Information Management Section
IT Services Branch**

14th June 2007

Dear XXXX,

FREEDOM OF INFORMATION REQUEST REFERENCE NO: XXXX

I write in connection with your request for information dated 17th May 2007, which was received by Greater Manchester Police on 17th May 2007. I note you seek access to the following information:

- Records showing the number of police officers from the force who have been
 - a) investigated
 - b) disciplined in each of the years 2003, 2004, 2005, 2006 and up to May 17 this year arising from alleged or real breaches of Police Regulations 2003 Schedule 1.

In accordance with the Act, this letter represents a refusal notice for this particular request.

Point A - Greater Manchester Police can neither confirm nor deny that it holds the information you requested as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

Section 30(3) Investigations and Proceedings conducted by public authorities, the duty to confirm or deny. Section 31(3) Law Enforcement, the duty to confirm or deny.

To confirm that information is held or not, could confirm that an investigation has taken place, if that investigation has not previously been publicly confirmed. While a normal FOIA response would either provide the information, withhold it under exemptions or state that 'no information is held'. In some circumstances confirming or denying whether information is held could itself reveal information that could compromise current or future investigations either within Greater Manchester Police or in other force areas. To confirm or deny whether specific investigations have taken place would make an individual aware that they may have been under investigation. This could enable them to change their behavior and take steps to evade detection (for example, by removing evidence prior to seizure). Conversely, to confirm that no information is held would indicate that no investigations had taken place, and could therefore indicate to individuals that they had avoided detection, and encourage them to continue to commit offences in the belief that they have not been detected. This use of NCND should not be taken as proof that such information does or does not exist.

Point B – Confirmation that Greater Manchester Police has no information held on how many police officers have been disciplined in each of the years 2003, 2004, 2005, 2006 and up to May 17 this year arising from alleged or real breaches of Police Regulations 2003 Schedule 1.

Your attention is drawn to the attached sheet, which details your right of complaint.

Yours sincerely