

**Information Management Section
Criminal Justice Division**

15th June 2006

Dear XXXX

FREEDOM OF INFORMATION REQUEST REFERENCE NO: XXXX

I write in connection with your request for information dated 17/05/2006, which was received by Greater Manchester Police on 17/05/2006. I note you seek access to the following information:

- Details of the police investigation in Dr Harold Shipman.
- Including copies of photographs, interview records, police pocket note books and entries relating to the inquiry.

Following receipt of your request searches were conducted within Greater Manchester Police to locate information relevant to your request. I can confirm that the information you have requested is held by Greater Manchester Police.

Result of Searches

The information you have requested is held by Greater Manchester Police and consists of 70 box files containing 7,630 documents and 2,347 exhibits.

I regret to inform you that the cost of providing you with the information will exceed the amount to which we are legally required to respond.

The cost of retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. It is estimated that it would cost more than £450 to comply with your request.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice in respect of your request for information.

Supplementary Information

The Act requires an authority to provide advice and assistance to an applicant and in normal circumstances when refusal is on the grounds of cost we would negotiate with you what information can be considered with the limit. In this case there are inherent issues with regard to the release of investigations carried out by the Police Service and it should be noted that your request would attract a wide variety of exemptions. These exemptions are generated by the following prejudice, which is provided for your information.

Information for an investigation comes from a wide variety of sources. In most cases this information is provided in confidence, or at least on the basis that it will be used for the purposes of that investigation, and not for disclosure to the world in general. The FOIA is quite rightly applicant blind and the release of any information is made to the world. That was not a concept in the minds of information providers at the time they co-operated with the Police. Although it could be argued that the type of cases, of which your request is typical, attract national and sometimes global publicity and are heard in open

court, that is not the same as physical copies of the information that has been provided being published.

The police service relies on the assistance of the public and any disclosure which may prevent someone coming forward in the future will have a detrimental effect on our ability to prevent and detect crime.

The case in question also has surviving family members of both the offender and the victims. Fresh disclosure of the case is likely to cause renewed media exposure, which in these people could cause raised levels of anxiety and stress as once again they are forced to revisit the traumatic feelings experienced by them at time of the incident.

Also contained within the information you have requested are large amounts of personal information, such as names and addresses and activities of individuals. Disclosure of this material would be likely to contravene principles of the Data Protection Act and therefore would not be permitted.

The information you have requested will also contain details of police tactics and methodology. It would be accepted that over the passage of time some of those methodologies would be outdated, but for those that are not, their disclosure would give a tactical advantage to the criminal, and make it more difficult to prevent and detect crime.

As you are doubtless aware Dame Janet Smith undertook a public inquiry into Harold Shipman and the associated police investigations. Documentation pertaining to the investigation has already been made publicly available and is currently available on the Public Inquiries website at <http://www.the-shipman-inquiry.org.uk>.

Finally and arguably most importantly, is the fact that the information you have requested is covered by the exemption relating to investigations and proceedings carried out by public authorities. This exemption is class based which means the legislators accepted that there would be inherent harm in disclosure of such material. The police service has sought legal advice on this matter and established that release of investigations should only be done where it aids one of the core policing functions; the protection of life and property or the prevention or detection of crime. It cannot be seen in this case how any of those functions would be served.

In view of these facts the following exemptions would be relevant to your request.

Section 21 Information Accessible to the Applicant by Other Means
Section 30 Investigations and Proceedings
Section 31 Law Enforcement
Section 38 Health and Safety
Section 40 Personal Information

Some of these exemptions are not absolute so would attract a public interest test. The public interest test as outlined in the FOIA is **not** a debate with regard to whether the public would find the information requested interesting. If that were the case, then there would be no debate, as high profile investigations would fit this definition.

The public interest test under the legislation is required to establish whether there is any community (the public) would benefit in having the information. Given the passage of time, establishing that benefit becomes more difficult.

Yours sincerely,