

[REDACTED]

Our ref: GSA 827/23
Please quote our reference
number when responding

Wednesday, 08 March 2023

[REDACTED]

FREEDOM OF INFORMATION REQUEST REFERENCE NO: GSA 827/23

I write in connection with your request for information dated 10/02/2023, I note you seek access to the following information:

ACPO guidance on Online Research and Investigation states: "The creation of a false [social media] persona should be agreed by a Detective Inspector (Intelligence or Covert Policing) or equivalent. Each agency should maintain a register of all such profiles created and used in the force/agency. This register should be maintained centrally and periodically reviewed taking into account the necessity and proportionality of maintaining and using each registered persona. A log, recording the time, date, user and the policing purpose, should be maintained for each use of a false persona."

I'm seeking:

- 1. The number of authorisations granted for the creation of false social media personas by GMP officers in each calendar year from 2018 to 2022 (inclusive).*
- 2. A list of column headings contained in the GMP false social media persona register and, if applicable, row headings.*
- 3. A list of options for entering data under each specific column heading and/or row heading in the GMP social media persona register.*
- 4. The number of entries in the GMP social media persona register, broken down by platform (including but not necessarily limited to Facebook, YouTube, WhatsApp, Twitter, Instagram, TikTok, Snapchat, Telegram, Pinterest, Reddit, LinkedIn, Tinder, Bumble, and Hinge.)*
- 5. A list of column headings contained in the GMP log recording the use of false social media personas and, if applicable, row headings.*
- 6. A list of options for entering data under each specific column heading and/or row heading in the GMP log recording the use of false social media personas.*
- 7. The number of entries in the GMP log recording the use of false social media personas, broken down by platform (including but not necessarily limited to Facebook, YouTube, WhatsApp, Twitter, Instagram, TikTok, Snapchat, Telegram, Pinterest, Reddit, LinkedIn, Tinder, Bumble, and Hinge.)*

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information. However, I can confirm that the information requested is held by GMP, but I am not obliged to provide it as exemptions apply.

Section 17 of the Freedom of Information Act 2000 requires Greater Manchester Police, when refusing to provide such information (because this information is exempt) to provide you, the applicant, with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

- **Section 31(1)(a)(b) – Law enforcement**

Section 31 is a qualified and prejudice-based exemption and as such, subject to a harm and public interest test

Harm

Any disclosure under FOI is a disclosure to the world and not just to the individual making the request. To disclose specific details of the number of communications data authorisations specifically with regard to creation of social media accounts for investigative use to gather intelligence would undermine the smooth delivery of operational law enforcement.

Modern-day policing is intelligence led and this is particularly pertinent with regard to law enforcement. The public expect police forces to use all powers and tactics available to them to prevent and detect crime or disorder and maintain public safety. By revealing tactical detail, such as the specific information within this request, would undoubtedly cause serious harm to any investigations and intelligence gathering exercises which may have focussed on the use of social media as a law enforcement tool, would compromise the prevention or detection of crime and the apprehension or prosecution of offenders. Although some of the information may be historical, inasmuch as the timeframe of the request goes back to 2019, publication of communications data authorisations is only ever published at force level, for all authorisations which fall under 'communications data'. Although it is publicly avowed that the Police Service use social media as an investigative tool, disclosing statistical data relating to social media accounts used by the police for investigative purposes would provide an awareness to offenders and may alert them of such activity enabling them to close down their social media accounts, avoid apprehension and potentially recreate other social media profiles via the dark web which would enable their offending to continue placing the safety of their victims at further risk.

Public Interest Test

Factors favouring Disclosure

In this case disclosure of the information would provide openness and transparency relating to the police use of social media as an investigative/intelligence gathering tool.

Factors favouring Non-Disclosure

When the current or future law enforcement role of the force may be compromised by the release of information, the effectiveness of the force will be reduced. In this case, for the reasons outlined in the evidenced harm, the effectiveness of current and future covert operations where social media is used by the police to target criminals may be compromised.

If specific tactical capability is disclosed which would make it easier for offenders to avoid apprehension, there would be a need for frontline policing to be taken away from other areas of policing in order to monitor the criminality of such offenders.

The personal safety of individuals is of paramount importance to the Police Service and must be considered in respect of every release. As stated within the harm a disclosure under Freedom of Information is a release to the world and any disclosure which compromises an individual(s) health and safety is not in the public interest.

Balance Test

As always the Freedom of Information Act has a presumption of disclosure, unless when balancing the competing public interest factors the prejudice to the community outweighs the benefits. In this case, there is an argument for disclosure, inasmuch as the public have a right to know that the use of social media as a tool is in line with current legislative frameworks but this must be balanced against the negative impact these disclosures can make. It can be argued in this case, that the former is already catered by the Police Service, inasmuch as a Investigatory Powers Commissioner publishes communications data authorisations as a whole.

However, what has been established in this case is the fact that disclosure would have an adverse effect on the tactical investigative/intelligence gathering capability of Greater Manchester Police when carrying out social media covert operations. This negative outweighs any tangible community benefit and therefore the balance does not favour disclosure at this time.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice.



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