

Date: 14/11/2023
Our ref: 01/FOI/23/011626/K

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/23/011626/K

I write in connection with your request for information dated 07/11/2023, received by Greater Manchester Police (GMP) for the following information:

- 1. *Who will be the operational commanders of GMP during armistice day and remembrance Sunday (11-12/11/2023)? Specifically who will be the silver commander for major incidents. (The role PSI Arif Nawaz was responding for on the night of the arena bombing)***
- 2. *What would you like to know?: If there is serious disorder or terrorism as a result of Hamas inspired or far rightbretaliatory actions, how will GMP ensure that emergency workers are safe to respond quickly and effectively?***

Clarification for Q2 - I do mean if anything specific has been added due to the more serious threat for remembrance weekend. But also more generally aswell as I would feel more comfortable knowing that guidance for senior officers in major incidents was clearer so as to avoid a repeat of the 22/5/17 response.

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm the information requested is held by GMP.

However, I am not obliged to provide the information as exemptions apply.

However, **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.

Question 1 has been exempted from disclosure under **Section 40(2) Personal Information** – this information constitutes personal data of an identifiable living individual, and to disclose this information would breach the principles of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Personal data is defined by Section 1 of the Data Protection Act 1998 and means data that relates to an individual who can be identified directly or indirectly from that data.

Question 2 has been exempted from disclosure by virtue of the following exemption:

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

Disclosure of how GMP would ensure the safety for emergency workers to respond to major incidents reveals tactical capability and vulnerabilities from force to force and would compromise the efficient and effective conduct of Greater Manchester Police. To disclose operational strength and processes would hinder Greater Manchester Police in law enforcement capabilities.

The safety of the public is of a paramount importance to Greater Manchester Police and to release the specifics in relation to how GMP would react to major incidents would compromise the safety of the public that Greater Manchester Police serve to protect.

Furthermore, this would impact on the law enforcement capabilities of Greater Manchester Police in the prevention and detection of crime and the apprehension or prosecution of offenders. This would also give an advantage to those intent on committing crimes and avoid detection.

Factors in favour of disclosure

To disclose how GMP would react to a major incident occurring, and how GMP would ensure the safety of emergency workers during these would show accountability of Greater Manchester Police in performing a key policing function. Disclosure would encourage public awareness and debate and may reduce crime or lead to more information being provided to Greater Manchester Police from the public for the prevention and detection of crime. Disclosure could be seen how Greater Manchester Police are using its resources to prevent crime.

Furthermore, there is always a need to disclose information which relates to the spending of public money. It is in the public's interest to see how resources are balanced across Greater Manchester Police.

Factors against disclosure

To disclose details of any major incident plans would compromise the efficient and effective conduct of the force, especially the force's future law enforcement tactics being compromised. The safety of the public is of paramount importance to Greater Manchester Police and to release the requested information would compromise the safety of the community that Greater Manchester Police serve to protect and place individuals at risk.

Disclosure would lead to a greater impact on police resources, in that this could hinder the prevention and detection of crime and more crime being committed. It would give advantage to those individuals intent on criminal activity as it may assist potential criminals in evading the police as more vulnerable areas of lower policing levels would become evident. A fear of crime will be realised as criminals identify vulnerable areas and target and exploit these areas resulting in the public being in fear of more criminal activity occurring.

Balancing Test

When balancing the public interest Greater Manchester Police must consider whether the information should be released into the public domain. Arguments need to be weighed against each other. The most

persuasive reason for disclosing the information would be Greater Manchester Police's accountability and transparency. This needs to be weighed against the strongest reason for non-disclosure which is the police service is charged with enforcing the law; preventing and detecting crime and protecting the people/communities we serve and the potential for harm caused by premature release of information prior to the full scrutiny process having occurred.

In this case this is the fact that individuals may be placed at risk and the affect it may have on the prevention and detection of crime. In this case, I believe the case for disclosure is not made out In relation to public safety being compromised by disclosing tactical processes.

The police will not divulge any information that would place the safety of an individual at risk or undermine law enforcement. Whilst there is a public interest in the transparency of policing, and in this case providing assurance that the police service is appropriately and effectively engaging with the threat posed by criminal activity, there is a very strong public interest in safeguarding the resource capability which could highlight which forces are focussing more on certain areas.

In accordance with the Act, this letter represents a Refusal Notice for these particular parts of this request.