

Date: 22/11/2023
Our ref: 01/FOI/23/011635/L

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/23/011635/L

I write in connection with your request for information dated 08/11/2023, received by Greater Manchester Police (GMP) for the following information:

For each police misconduct hearing held since January 1 2021, please disclose:

- * The date in which that hearing commenced.***
- * The date the public notice for that hearing went live on your website.***
- * A summary of the officer's alleged misconduct (I.E. the officer is alleged to have breached professional standards due to unwanted touching towards Woman A on a night out)***

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 supply the information you have requested as exemptions apply.

When refusing to provide such information because an exemption applies, Section 17(1) of the Freedom of Information Act 2000 requires GMP, 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.

Misconduct Hearings published from January 1 2021 to September 2023 are exempt under **section 21 – Information accessible to applicant by other means**. The response for this part of your request is available online. Please follow the links below.

<https://www.gmp.police.uk/foi-ai/af/accessing-information/published-items/>

For outcomes covering October - December, these are exempt under **Section 22(1)(a) –Information intended for future publication**. The intended publication is due in the quarterly update expected to be published January 2024. This will be on the above link.

As the exemption used is a qualified exemption a public interest test (PIT) needs to be applied.

Factors Favouring Disclosure

Disclosure of the requested information at the present time would allow the public to have access to the information immediately, would enhance public knowledge of the subject and would promote the accountability and aid transparency of GMP.

Factors Favouring Non-Disclosure

Reviewing and formatting the data at the present time, in response to a Freedom of Information request, would be a duplication of work and would involve a disproportionate use of GMP resources and would not be an economical use of public funds. Additionally, should the data from the upcoming report be released prematurely, there is the possibility that it may contain inaccuracies if it has not been subject to full scrutiny procedures.

Balancing Test

When balancing the Public Interest Test, we must consider whether the Public Interest is best served by the release of the information into the public domain immediately or by the withholding of the information. Arguments need to be weighed against each other. The most persuasive reason for disclosure is the facilitation of transparency of GMP, which needs to be weighed against the strongest negative reason, which, in this case, is the disproportionate use of GMP resources and an uneconomical use of public funds. Therefore, the stance at this time is that the requested data is exempt from disclosure in response to a Freedom of Information request due to its future official publication by GMP.

In accordance with the S17 of the Freedom of Information Act 2000, this letter acts as a Refusal Notice for this part of the request.