

Date: 28/03/2024
Our ref: 01/FOI/24/012316/Y

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/012316/Y

I write in connection with your request for information dated 14/03/2024, received by Greater Manchester Police (GMP) for the following information:

In accordance with the FOI Act can you please provide me & Andy Burnham with an update on what action you have taken as Greater Manchester Police, Chief Constable with regards to Andy Burnham's requests for action within his attached FOI letter,

- 1. I have asked the Chief Constable to give me assurance that every potential perpetrator of the abuse outlined in the review will be pursued and all necessary action taken against them.***
- 2. I have also asked the Chief Constable what disciplinary issues there are arising from the review and that any such issues are pursued.***

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.

The exemptions that apply are: -

Section 21 – Information accessible to applicant by other means.

Section 30(1)(2)(a) – Investigations and Proceedings Conducted by Public Authorities.

Question 1 is exempt under **section 21 – Information accessible to applicant by other means**. The response to this request is available online. Please follow the links below.

<https://www.gmp.police.uk/news/greater-manchester/news/news/2024/march/gmp-completes-assurance-review-of-individuals-referenced-as-potentially-posing-a-risk-to-children-in-rochdale--finding-action-has-been-taken-in-every-possible-case/>

Question 2 is exempt under **Section 30(1)(2)(a) – Investigations and Proceedings Conducted by Public Authorities**.

Section 30 is a class based qualified exemption; there is a requirement to carry out a public interest test, which can be found below.

Public Interest Test

Factors Favouring Disclosure on Section 30

To disclose information relating to any disciplinary proceedings arising from the review into the public domain, would show GMP's accountability, and satisfy the public, that investigations into such incidents are being conducted correctly. This would serve in the public interests in knowing whether GMP has appropriately and effectively investigated matters and that any decisions whether or not to bring any disciplinary proceedings are warranted. It would also show GMP's use of public funds investigating incidents of this nature.

Factors Favouring Non-Disclosure on Section 30

Conversely to the factors in favour of disclosure, to publicly release the data that is from an investigation that remains open may seriously undermine GMP's ability to complete the investigation to a full and correct conclusion. It is recognised that there will be an increased public interest into the investigation being conducted, and GMP publishes all disciplinary proceedings on its publication scheme. To disclose anything at this stage could be a duplication of work and result in the inaccuracy of reporting while investigations are still ongoing. This is ultimately not the best use of public funds. You can find our publication scheme here <https://www.gmp.police.uk/foi-ai/af/accessing-information/published-items/> .

Balancing Test

When balancing the public interest Greater Manchester Police has to 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 openness. This needs to be weighed against the strongest reason for non-disclosure, which is by disclosing, it may seriously undermine GMP's ability to complete the investigations to full and correct conclusions.

Having considered all the factors for and against disclosure it is my belief that in this case, the reason against disclosure outweighs the reason for disclosure and so the decision at this time to maintain the above exemption and withhold the information from disclosure.