

Date: 11th December 2024
Our ref: FOI/24/013677/Y

FREEDOM OF INFORMATION REQUEST REFERENCE NO: FOI/24/013677/Y

I write in connection with your request for information dated 20/11/2024, received by Greater Manchester Police (GMP) for the following information:

REQUEST 1:

Under the Freedom of Information Act 2000 ('FOIA'), and with reference to Section 1(1) of FOIA which provides the general right of access to information held by public authorities, I am requesting:

a) Per Section 8(1)(c) of FOIA, and with reference to Section 84's definition of 'information', any policies, procedures, or guidance documents in effect during September 2022 regarding:

- The use of electronic equipment capable of interfering with civilian recording devices***
- Police response to members of the public filming police activities [noting the College of Policing guidance that confirms the public's legal right to film police activities]***
- Equipment deployed for crowd control at football matches***

b) Under Section 11 of FOIA (means of communication), and with reference to the Section 19 publication scheme obligations, procurement records from April 2017 to September 2022 for:

- Any electronic counter-measure equipment***
- Signal interference devices***
- Electronic crowd control equipment***

If you intend to apply any exemptions under Part II of the Act, I request that you consider the public interest test (Section 2(2)(b)) and the duty to confirm or deny (Section 1(1)(a)) separately for each piece of information requested.

If any of this information is already available through your Publication Scheme under Section 19, please direct me to it.

Per Section 16's duty to provide advice and assistance, if you find this request too broad, please advise what clarification would help rather than refusing the request outright.

REQUEST 2:

Under the Freedom of Information Act 2000 ('FOIA'), and with reference to Section 1(1) of FOIA, I am requesting information specifically relating to September 4th 2022, Manchester United v Arsenal match:

With reference to Section 1(1)(a) of FOIA regarding confirmation of held information, I request:

- Equipment logs for police units deployed near the away supporter coach area at coordinates 53° 27' 46.8" N, 2° 17' 19.68" W between 19:15-19:45***
- Any incident reports from this location and time***
- Training or briefing documents provided to officers regarding public filming of police activities during this operation***

If you intend to apply any exemptions under Part II of the Act, I request that you consider the public interest test (Section 2(2)(b)) and the duty to confirm or deny (Section 1(1)(a)) separately for each piece of information requested.

Result of Searches

Request 1

Greater Manchester Police neither confirms nor denies that it holds information relevant to this part of your request by virtue of the following exemptions:

Section 24(2) – National security

Section 31(3) – Law enforcement

Sections 24 and 31 are prejudice based qualified exemptions and there is a requirement to articulate the harm that would be caused in confirming or not that the information is held as well as carrying out a public interest test.

Overall Harm:

To confirm or deny that the Greater Manchester Police holds any information regarding policy, processes or guidance for use of, or procurement of equipment used for the defined functions would in itself be harmful, as stating information is held would confirm the force has capability to use such equipment in operational law enforcement and the opposite if there is no such information held.

Any disclosure under FOIA is a disclosure to the world at large, and confirming or denying information is held regarding the use or procurement of these products would reveal the use of specialist techniques in specific circumstances which would prejudice law enforcement. If the requested information were held by the force, confirmation of this fact would reveal that the police has access to sophisticated electronic blocking techniques. This would be damaging as it would limit operational capabilities as criminals/terrorists would gain a greater understanding of the police's methods and techniques, enabling them to take steps to counter them;

Conversely, if information were not held by the force, and a denial were issued, this would suggest (whether correctly or not) the limitations of police capabilities in this area, which may further encourage criminal/terrorist activity by exposing a potential vulnerability. Any compromise of, or reduction in technical capability by forces would substantially prejudice the ability of forces to police their areas which would lead to a greater risk to the public.

This detrimental effect is increased if the request is made to several different law enforcement bodies. The effect of multiple confirmations or denials would result in the mapping of where certain tactics can or cannot be deployed. This can be very useful information to those committing crime.

Any information identifying specific capabilities of the police could be used to the advantage of terrorists or criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on both national security and law enforcement.

Public Interest Test:

Factors favouring confirming or denying whether any other information is held for Section 24

The public is entitled to know where its public funds are being spent and a better informed public can take steps to protect themselves.

Factors against confirming or denying whether any other information is held for Section 24

Confirming or denying the use or procurement of specialist equipment such as defined in the request could render security measures less effective. This could lead to the compromise of ongoing or future operations to protect the security or infra-structure of the UK and increase the risk of harm to the public.

Factors favouring confirming or denying whether any other information is held for Section 31

Better awareness may reduce crime or lead to more information from the public. It also provides reassurance that police have appropriate crime prevention tools at their disposal.

Factors against confirming or denying whether any other information is held for Section 31

By confirming or denying information is held about the use or procurement of equipment which perform specialist techniques, the force's future law enforcement capabilities would be affected and this would hinder the prevention and detection of crime as set out in the harm above.

By confirming or denying whether such techniques were used would compromise law enforcement tactics and undermine the partnership approach which would hinder the prevention or detection of crime. This would impact on police resources, more crime would then be committed and individuals placed at risk.

Balance Test

Greater Manchester Police is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security and safety of the public is of paramount importance and Greater Manchester Police will not divulge whether information is or is not held. Whilst there is a public interest in the transparency of policing and providing assurance that the police service is appropriately and effectively engaging with the threat from criminals, there is a very strong public interest in safeguarding the integrity of police investigations.

It is therefore our opinion that for these issues the balancing test for confirming or not that information is held, is not made out.

Request 2

Question 1 – No information held.

Question 2 – No information held.

Question 3 – No information held.