



GREATER MANCHESTER
POLICE

Date: 13/12/2024

Our ref: 01/FOI/24/013805/O

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013805/O

I write in connection with your request for information dated 12/12/2024, received by Greater Manchester Police (GMP) for the following information:

- 1. The identity of police officers who conspired to detain and harass me on a flimsy pretext of "inaattentive driving" on Didsbury High Street, Wilmlow Road, Manchester on 30/08/2024 at 15.01hrs. I was driving a yellow [REDACTED]. I was treated in an aggressive and disproportionate manner and intimidated into "admitting" driving without due care and attention, resulting in charges against me. The drivers of the police vehicles involved were driving an unmarked black [REDACTED] and a marked [REDACTED] parked in Aldi car park adjacent to the alleged incident. I have made an official complaint to GMP, without adequate response. I received disingenuous phone calls from alleged senior investigating officers from GMP Profession Standards purporting to sympathise with me, and seeking my help in identifying the police vehicles involved and the officers concerned, as if the force could not at least identify an unmarked [REDACTED] purporting to be its own. The soi-disant "investigating officers" have failed to contact me since mid-September, to the best of my recollection. It is reasonable to suspect conspiracy and a desire to "bury" my complaint, on the part of GMP.***

I am about to contact the Chief Constable, the Police and Crime Commissioner and my MP, to express my dissatisfaction.

I urge you to take this matter seriously and require speedy and credible response from GMP before I am falsely charged and convicted of this specious allegation which I intend to make a cause celebre and bring to the attention of the media.

- 2. How many unmarked black [REDACTED] cars was GMP legitimately operating on 3 [REDACTED] [REDACTED] ???***

Result of Searches

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

NCND - Section 31(3) – Law Enforcement

NCND - Section 40(5) – Personal Information

The Freedom of Information Act provides the public with a general right of access to recorded information held by public authorities. However, information disclosed under this Act is effectively released into the public domain, or to the 'wider world', and not only to the person making the request. In cases where the public request information relating to individuals, it would be extremely rare for a public authority to release such information to the whole world under the terms of the Freedom of Information Act 2000.

Therefore, in accordance with the Act, this letter represents a refusal notice for this request.

Greater Manchester Police can neither confirm nor deny that it holds the information you requested in **question 1** as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemption:

Section 40(5B)(a)(i) - Personal Information – giving information to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the principles of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

To confirm that any information is held or not, could confirm personal data. In some circumstances confirming or denying whether information is held could itself identify a living individual and would therefore breach the principles of the GDPR and the Data Protection Act 2018.

Personal data is defined by Article 4 of the GDPR and Part 1 of the Data Protection Act 2018 and means any information relating to an identified or identifiable natural person ('data subject'). An identified natural person is one who can be identified directly or indirectly from that data.

This use of neither confirm nor deny should not be taken as proof that such information does or does not exist.

Greater Manchester Police can neither confirm nor deny that it holds the information you requested in question 2 as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

NCND Section 31 (3) – Law Enforcement has been applied to this request.

Harm:

Any disclosure under FOI is a release to the public at large. Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate and the applicants do not have any ulterior motives. Whilst not questioning the motives behind this specific request, confirming or denying that information is held would impact on the law enforcement capabilities of Greater Manchester Police in the prevention/detection of crime. Policing is always around ensuring the public's safety, but more importantly that any potential criminal could be aware of the number of officers within any unit, and this may contravene with preventing and detecting crime.

The risk of danger to the public would be increased by revealing such policing tactics into the public domain. The safety of the public we protect is of paramount importance to Greater Manchester Police and we would not wish to jeopardise that safety by confirming or denying that information is held.

Factors favouring Neither Confirming or Denying

By confirming or denying how many vehicles and the type of fleet that were operating on the above date and location would lead to a better-informed public. The public are entitled to know what public funds are spent on and what measures are in place.

Factors against Confirming or Denying

Confirming or denying that any information is held regarding the type of vehicles in any location at any one time, would have the effect of compromising law enforcement tactics. It has been recorded that FOIA releases are monitored by criminals and terrorists and so to confirm or deny information is held would lead to law enforcement being undermined.

Balancing Test:

The security of the members of the public is of paramount importance and Greater Manchester Police will not divulge whether any information is or is not held regarding the numbers of specific GMP fleet within a specific location and/or time a date, if to do so would place the safety of an individual at risk, compromise law enforcement.

Whilst there is a public interest in the transparency of police funding and providing assurance that the Greater Manchester Police is appropriately and effectively managing the resources, there is a very strong public interest in safeguarding the integrity of police investigations and all areas of operations carried out by local police forces.

As much as there is public interest in knowing that policing activity/fund is appropriate and balanced this will only be overridden in exceptional circumstances. Providing if such information exists would reveal police tactics and therefore it is our opinion that for these issues the balancing test for confirming or denying whether any information is held regarding the vehicle or any other fleet information, is not made out.

However, this should not be taken as necessarily indicating that any information that would meet your request exists or does not exist.