



Date: 21/02/2024
Our ref: 01/FOI/24/012037/U

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/012037/U

I write in connection with your request for information dated 29/01/2024, received by Greater Manchester Police (GMP) for the following information:

- 1. Can you kindly confirm how many persons were arrested for Trademark Offences during Operation Vulcan that targeted the area of Cheetham Hill, known as Counterfeit Street.*
- 2. Can you kindly confirm the number of persons prosecuted for Trademark offences as a result of Operation Vulcan, excluding any third party prosecutions i.e only GMP led prosecutions.*
- 3. What was the budget for Operation Vulcan.*
- 4. What is the spend to date of Operation Vulcan.*
- 5. How many officers were attached to Operation Vulcan.*

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 that some of the information requested is held by GMP. However, I am not obliged to supply you with all the information held as exemptions apply.

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.

The information you have requested in question 1 is exempt from disclosure by virtue of the following exemption: **Section 30(1) – Investigations and Proceedings Conducted by Public Authorities.**

The information you have requested in questions 3-5 is exempt from disclosure by virtue of the following exemption: **Section 31(1)(a)(b) – Law Enforcement.**

Section 30 is a qualified and class-based exemption and as such is subject to a public interest test.

Section 31 is a qualified and prejudice-based exemption and as such, subject to a harm and public interest test.

Section 30 - Factors Favouring Disclosure

To disclose the exempt information, into the public domain, would show GMP's accountability, and satisfy the public, that investigations into such incidents are being conducted correctly. It would also show GMP's use of public funds investigating incidents of this nature.

Section 30 - Factors Favouring Non-Disclosure

Conversely to the factors in favour of disclosure, to publicly release the data that could be from an investigation that remains open may seriously undermine GMP's ability to complete the investigation to a full and correct conclusion.

Balancing Test

When balancing the public interest test GMP has to consider whether the information should be released into the public domain, therefore arguments need to be weighed against each other. The most persuasive reason for disclosing the information would be the fact that disclosure would encourage transparency. This needs to be weighed against the strongest reason for non-disclosure, which in this case is the impact on GMP's ability to complete investigations to a full and correct conclusion. Therefore, having considered all the factors for and against disclosure it is the decision at this time to maintain the above exemption and withhold the information from disclosure.

Section 31(1) - Evidence of Harm

A Freedom of Information Act request is not a private transaction. Both the request itself and any information disclosed, are considered suitable for open publication. This is because under the Act, any information disclosed is released into the wider public domain, effectively to the world, not just to an individual.

Whilst not questioning the motives of the applicant, providing any further information relating to specific operational functions within Greater Manchester Police would reveal our operational capability, which would be of intelligence value to criminals.

Disclosure of resources at the police's disposal, including resources dedicated to Operation Vulcan, will mean that those members of the public who are committing crimes and pose a risk to the public, would be able to formulate ways to circumvent or overwhelm Operation Vulcan. If disclosed, the budget, spend and workforce of Operation Vulcan could reveal the operational capacity of the operation. It will then become less effective and will mean that the police are not able to detect and prevent crime, apprehend, or prosecute offenders or to administer justice for the wider community.

There is always a duty of care to the general public and the Police Service has a clear responsibility to ensure the prevention or detection of crime, and the apprehension or prosecution of offenders is always delivered. There are several tactics available to the Police Service to ensure the effective delivery of operational law enforcement. In this case, specialist policing activity is required to undertake fair investigations where it may be necessary to progress a range of reasonable lines of enquiry.

As such, the disclosure of any further information which would hinder the forces law enforcement functions cannot be in the public interest.

Public Interest Test

Factors favouring disclosure for S31 - Where public funds are being spent, there is a public interest in accountability and justifying the use of public money. Disclosure of the requested information would enable the public to assess whether the force has appropriately taken steps to help reduce and detect crime by such means as dedicating resources to this operation. Release would enhance public debate as to whether the force is appropriately and effectively engaging with the threat posed by criminals.

Factors against disclosure for S31 - Disclosure that reveals our operational capabilities would compromise law enforcement tactics. Criminals could use the information to target areas of weakness knowing that their activities are less likely to be detected. It may be used by criminals who are intent on pursuing their criminal activity, to identify and exploit the limitations of these resources.

To release information relating to operational capacity and capability utilised for Operation Vulcan would have a detrimental effect on our policing capabilities. Therefore, to mitigate any risks, disclosure of this information needs to be protected, to ensure that those with intent to do so cannot manipulate it or undermine its purpose in any way.

Any disclosure of information which would compromise law enforcement tactics and thus lead to more crime being committed by reducing the opportunity for the prevention and detection of crime, would therefore increase the risk to public safety, which is not in the public interest.

Balancing Test

Law enforcement is of paramount importance and the Police service will not disclose information if to do so would undermine its purpose and place the safety of individuals at risk. Whilst there is a public interest in the transparency of using public money in policing appropriately and effectively engaging with the threat posed by criminals, there is a very strong public interest in safeguarding the integrity of police investigations and operations in this area.

As much as there is public interest in knowing that policing activity is appropriate and balanced in matters of law enforcement, this will only be overridden in exceptional circumstances. Any disclosure which hinders our capability and assists criminals cannot be in the public interest.

It is for these reasons that I have determined that the balance test favours non-disclosure of the requested information.

Regarding question 2 of your request, prosecution information is not held by GMP. Please contact His Majesty's Courts and Tribunal Service for this information.