

Date: 15/05/2024
Our ref: 01/FOI/24/012490/L

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/012490/L

I write in connection with your request for information dated 16/04/2024, received by Greater Manchester Police (GMP) for the following information:

This is a repeat of request reference 003894/19/, you did not supply an internal review.

Please now complete the request properly.

I refer you to this tweet:

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftwitter.com%2FWhistleblowerat%2Fstatus%2F1199461903128580096&data=05%7C02%7Cfreedomofinformation%40gmp.police.uk%7Ce8313294e90a495530c308dc5e17a141%7Cdc8a542c40d46ab8f73e6023f45c7c5%7C0%7C0%7C638488703699132819%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQljojV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C60000%7C%7C%7C&sdata=x9%2Bwot4zZUYIk1zaqGn%2BtRmDLzhXBMLKiKZVTODYmDI%3D&reserved=0>

*"There was a GMP Gold Mtg to decide how to proceed with an allegation of theft against [REDACTED]
[REDACTED] The decision was to deal with it by alternative means so as not to appear
Islamophobic.*

CSD201149 refers.

This tactic is familiar."

REQUEST:

- 1. Provide all information relating to CSD201149, including but not limited to who decided to use alternative means.**
- 2. Provide all information relating to GMP Gold Mtg to decide how to proceed with an allegation of theft against [REDACTED]**

3. Provide all image information of the relevant property in this investigation.

Result of Searches

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

Section 30(3) Investigations

Section 40(5b)(a)(i) - Personal Information

Section 30 is a class based qualified exemption and consideration of the public interest must be given as to whether neither confirming nor denying information exists is the appropriate response.

Section 40 is a class based absolute exemption and there is no requirement to evidence the harm or consider the public interest.

Section 30(3) Investigations

Factors favouring confirming that information is held

Confirming or denying whether information exists relevant to this request would lead to a better-informed general public identifying that Greater Manchester Police robustly investigate offences which may encourage individuals to provide intelligence in order to assist with investigations and reduce crime. This would further promote public trust in providing transparency and demonstrating openness and accountability into where the police are currently focusing their investigations. The public are entitled to know how public funds are spent, particularly in the current economic climate.

Factors against confirmation or denial that information is held

Modern day policing is intelligence led. To confirm or not whether Greater Manchester Police has investigated any staff within the organisation could hinder the prevention and detection of crime. Any ongoing investigation may be affected by making an individual aware of whether they have been or are being investigated.

Balancing Test for Section 30

When balancing the public interest test, we have to consider whether the information should be released into the public domain. Arguments needed to be weighed against each other. The most persuasive reason for the disclosure of the information is transparency and openness, which needs to be weighed against the strongest reason for non-disclosure, which, in this case is the possibility to hinder the prevention and detection of crime.

Therefore, taking into account the arguments above, it is our opinion that for these issues the balance test favours neither confirmation or denial that the requested information is held.

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.

In accordance with the Act, this letter represents a Refusal Notice for this particular request. No inference can be taken from this refusal that information does or does not exist.

Information Compliance & Records Management Unit, Information Management Branch, Greater Manchester Police Openshaw Complex, Lawton Street, Openshaw, Manchester, M11 2NS