

Date: 15/11/2024
Our ref: 01/FOI/24/013591/T

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013591/T

I write in connection with your request for information dated 06/11/2024, received by Greater Manchester Police (GMP) for the following information:

Please provide a copy of the open space closure order issued for Freehold estate, Rochdale.

<https://www.gmp.police.uk/news/greater-manchester/news/news/2024/november/gmp-rochdale-secure-innovative-closure-order-which-prohibits-people-entering-freehold-to-congregate-in-stairwells-to-commit-crime/>

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, this request is exempt from disclosure under **Section 32(1)(c)** of the FOIA because it is held only by virtue of being contained in a court record.

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.

Under **Section 32(1)(c)** information is exempt if it is a document created/issued by a member of the administrative staff of a court for the purposes of proceedings in a particular cause or matter.

The reason for section 32 is to preserve the courts control over court records. Even if a document may have been made public it ceases to be a public record after the hearing and then becomes protected by virtue of section 32. The greater public interest was considered to lie in the preservation of the courts' own procedures for considering disclosure.

Section 32 is an absolute exemption and there is no duty to consider the public interest in disclosure.

You may wish to contact the court directly to apply for access to these documents.

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