

Date: 08/10/2024
Our ref: 01/FOI/24/013118/Y

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013118/Y

I write in connection with your request for information dated 14/08/2024, received by Greater Manchester Police (GMP) for the following information:

REVISED REQUEST - FOI 01/FOI/24/012707/J and 01/FOI/24/012595/T

“In respect of the list or database or other system referred to above, please provide the following information:

a) Any and all GMP policy and guidance documents regarding the operation of such a list, database or other system, including the criteria for being added and removed.

b) If not contained in any relevant policy or guidance document, details of the potential consequences for an individual of being flagged on, or added to, a list, database or other system (for example, personal data being shared with third parties, increased surveillance, being banned from attending certain public events, etc.).

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, I am not obliged to provide the information for question B of this request as exemption applies.

Section 17 of the Freedom of Information Act 2000 requires Greater Manchester Police, when refusing to provide such information (because the 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

Question B is exempt from disclosure under the following exemption.

Section 31(1)(a)(b) – Law enforcement

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

Harm

Disclosure of any consequences from being added or removed to such list reveals tactical capability and vulnerabilities from force to force and would compromise the efficient and effective conduct of Greater Manchester Police. To disclose this information would hinder Greater Manchester Police in law enforcement capabilities.

The safety of the public is of a paramount importance to Greater Manchester Police and so we would not disclose anything that would compromise the safety of the public that Greater Manchester Police serve to protect.

Furthermore, this would impact on the law enforcement capabilities of Greater Manchester Police in the prevention and detection of crime and the apprehension or prosecution of offenders. This would also give an advantage to that are intent on committing crimes and avoid detection.

Factors in favour of disclosure

To disclose of any repercussions following markers being added or names being removed from any lists would show the effectiveness of Greater Manchester Police in performing a key policing function. Disclosure would encourage public awareness and debate and may lead to more information being provided to Greater Manchester Police from the public for the prevention and detection of crime. Disclosure could be seen how Greater Manchester Police are using its resources to prevent crime.

Furthermore, there is always a need to disclose information which relates to the spending of public money. It is in the public's interest to see how resources are balanced across Greater Manchester Police.

Factors against disclosure

To disclose details of operational policing and would compromise the efficient and effective conduct of the force, especially the force's future law enforcement tactics being compromised. The safety of the public is of paramount importance to Greater Manchester Police and to release the requested information would compromise the safety of the community that Greater Manchester Police serve to protect and place individuals at risk.

Disclosure could lead to a greater impact on police resources, in that this could hinder the prevention and detection of crime and more crime being committed. It would give advantage to those individuals intent on criminal activity as it may assist potential criminals in evading the police as more vulnerable areas of lower policing levels may become evident. A fear of crime will be realised as criminals identify vulnerable areas and target and exploit these areas resulting in the public being in fear of more criminal activity occurring.

Balancing Test

When balancing the public interest Greater Manchester Police has to consider whether the information should be released into the public domain. Arguments need to be weighed against each other. The most

persuasive reason for disclosing the information would be Greater Manchester Police's accountability. This needs to be weighed against the strongest reason for non-disclosure which is the police service is charged with enforcing the law; preventing and detecting crime and protecting the people/communities we serve.

In this case this is the fact that individuals may be placed at risk and the affect it may have on the prevention and detection of crime. In this case, I believe the case for disclosure is not made out.

The police will not divulge any information that would place the safety of an individual at risk or undermine law enforcement. Whilst there is a public interest in the transparency of policing, and in this case providing assurance that the police service is appropriately and effectively engaging with the threat posed by criminal activity, there is a very strong public interest in safeguarding the tactical resource capability which could highlight which forces are focussing more on this type of investigation than other force areas.

In accordance with the Act, this letter represents a Refusal Notice for the particular piece of information.

Please see the remainder of information which is not exempt below.

A – No information held