

Our ref: 01/FOI/24/013320/Y

Please quote our reference
number when responding

Thursday, 10 October 2024

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013320/Y

I write in connection with your request for information dated 24/09/2024, I note you seek access to the following information:

1. How many Suspected Victim Suicides (SVSDA) as defined by the National Police Chief's Council have been recorded by your force in the last three years?

Please provide annual breakdown from Sept 2021- till the most recent date of your last recording.

a) Of these SVSDA cases, how many cases had a forensic post mortem?

Please provide annual breakdown from Sept 2021- till the most recent date of your last recording

2. Of the SVSDA cases recorded by your force in the last three years (Sept 2021 – till most recent date of your recording), how many resulted in a criminal investigation being opened?

Please provide annual breakdown from Sept 2021- till the most recent date of your last recording

a) Of those SVSDA cases where a criminal investigation was opened, under what categories were these investigations finalised?

Please give results by outcome type as classified by the Home Office (See: Outcome Types) & annual breakdown

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police to locate information relevant to your request. I can confirm that the information you have requested is held by Greater Manchester Police.

The information has been exempt from disclosure by virtue of the following exemptions:

- **Section 40(2) – Personal Information**
- **Section 30(1)(2)(a) – Investigations and Proceedings Conducted by Public Authorities**
- **Section 38(1) – Health and Safety**

Section 40 – Personal Information

The disclosure of this information constitutes personal data and is therefore exempt from disclosure. 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.

Section 40(2) of the FOIA, as to disclose this information would contravene the first of the data protection principles. This states that personal data should be processed lawfully, fairly and in a transparent manner. It is the fairness aspect of this principle which, in our view, would be breached by disclosure. In such circumstances Section 40 confers an absolute exemption on disclosure and therefore there is no requirement for us to conduct a public interest test.

Sections 30 & 38

Section 30 is a class based qualified exemption; there is a requirement to carry out a public interest test, which can be seen below.

Section 38 is a prejudice based qualified exemption; there is a requirement to articulate the harm that would be caused in disclosing such information as well as carrying out a public interest test, which can be seen below.

Harm on Section 38

This 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.

To disclose the information that you have requested which may not already be in the public domain would undoubtedly have an impact on the health and safety of the friends and family members of the victims. Such information being disclosed could resurface these traumatic experiences and cause the victim's family and friends to again revisit this terrible period of their lives.

Protecting the safety of the public is of paramount importance to GMP and information that would compromise such health and safety would not be disclosed within a response to a Freedom of Information request.

Public Interest Test

Factors Favouring Disclosure on Section 30

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.

Factors Favouring Non-Disclosure on Section 30

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.

Factors Favouring Disclosure on Section 38

There may be occasions when it is appropriate to disclose information that would have an impact on the health and safety of an individual or the public in general. It could raise awareness in relation to this incident and encourage the public to come forward with any new information that could assist police investigations.

Factors Favouring Non-Disclosure on Section 38

Although some information that may or may not already be in the public domain and that relates to the victims. Due to the nature of the incident, and that disclosure under FOI is disclosure to the world at large with no specific controls, which is likely to cause an individual mental and physical harm (for example, the family of the victims, and that of the people acquitted of the crime) as disclosure could cause unwanted attention.

Overall Balancing Test on Sections 30 & 38

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 openness. This needs to be weighed against the strongest reason for non-disclosure which is concerns for the health and safety, both mental and physical, of families and friends of the victims.

Having considered all the factors for and against disclosure it is my belief that in this case to maintain the above exemptions and withhold the information from disclosure.