



Date: 05/09/2024
Our ref: 01/FOI/24/013222/X

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013222/X

I write in connection with your request for information dated 05/09/2024, received by Greater Manchester Police (GMP) for the following information:

I work for [REDACTED] that makes documentary series for the US and UK. We are currently working on a new documentary series for [REDACTED] that focuses on homicides that take place in hotels across the UK.

During our research, we came across the case of [REDACTED] who was found dead at the [REDACTED], Manchester, in September 2018. The person who killed him was a man called [REDACTED].

Our intention is to feature the case as an episode in this new documentary series, so I wanted to gather all archive material you have related to the investigation into the murder of [REDACTED] and the suicide of [REDACTED]. Archive material would be 999 calls, crime scene photographs, CCTV footage and anything else you would be able to give us. [REDACTED] was the lead investigator for this case.

Please let me know if I need to provide any additional information relating to this case and thank you for consider my request.

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police and I can confirm the information requested is held, however I'm not obliged to provide the data as exemption applies.

Section 17 of the Freedom of Information Act 2000 requires GMP, 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.

The exemption that applies is **Section 38(1)(a)(b) - Health and Safety**.

With Section 38 being prejudice based qualified exemptions there is a requirement to articulate the harm that would be caused in confirming or denying that the information is held as well as carrying out the public interest test.

Harm

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.

The pain and suffering caused to the surviving family members and friends of the deceased is unquestionably as profound now as it was when the crimes took place. To disclose the exempt information into the public domain would undoubtedly have an impact on the health and safety of the surviving family members of the deceased.

Disclosing such information could cause further distress and hurt to grieving families, many of whom would no doubt still be greatly traumatised by the events. Such information being disclosed could resurface these traumatic experiences and cause the deceased's families to again revisit this most terrible period of their lives.

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

Factors Favouring Disclosure

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. In this particular case, I cannot identify any benefit to the wider public (in terms of health and safety) to disclose such sensitive details.

There are, however, more general arguments that must be considered such as openness and transparency, which would lead to a more informed public.

Factors Against Disclosure

Although some information may already be in the public domain and that information relates to deceased persons, due to the nature of the incident, and that disclosure under Freedom of Information Act is disclosure to the world at large with no specific controls, disclosure carries the potential risk of causing significant mental and physical harm and distress to the loved ones and friends of the deceased.

Balance Test

When balancing the public interest Greater Manchester Police must 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 family and friends of the deceased.

Having considered all the factors for and against disclosure it is my belief that in this case, the reason against disclosure outweighs the reason for disclosure and so the decision at this time to maintain the above exemption and withhold the information from disclosure.