



Date: 27/02/2025
Our ref: 01/FOI/25/014108/V

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/25/014108/V

I write in connection with your request for information dated 01/02/2025, received by Greater Manchester Police (GMP) for the following information:

1. *With regards to greater Manchester police Axon Public Safety UK Ltd, audio and video camera, [or whatever technology is adopted by gmp], if called to an incident, the officers separate two individuals in a property, can the officers in one room listen to the conversation in another room?*
2. *With regards to the above incident, can both parties [gmp being the parties] 'talk to each other' using the technology?'*
3. *Whom has tactical control at the scene? is it the senior officer at the scene or the 'operational command' at HQ for instance?*
4. *Can an officer whom is not present in the room when attending the scene, see for instance, question 1 [above], and, or tactical control at gmp hq, order the arrest of a person if watching and listening to the conversation?*
5. *Is Breach of the Peace:*
 - A. *an arrestable offence?*
 - B. *civil offence?*
 - C. *Criminal offence?*
6. *With regards to Breach of the Peace [BoP], does the arresting officer HAVE to be specific about the offence committed at the incident, if not, when must the officer, arresting a member of the public inform the person being arrested of the actual incident, in other words, is there a time limit when the officer arresting the member of public must*

be informed of the actual reason, OR must the arresting officer/ supervising officer/ detention manager close the case?

7. *Factually, what are the grounds for arrest of a member of the public?*

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 supply you with all of the information held as exemptions apply.

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.

The information you have requested in questions 5-7 is exempt from disclosure by virtue of the following exemption: **Section 21 – Information Reasonably Accessible by Other Means**. The information you have requested in question 3 is exempt from disclosure by virtue of the following exemption: **Section 31(1)(a)(b) – Law Enforcement**.

Regarding questions 5 and 6, information relating to Breach of the Peace is available on the [College of Policing website](#) and the [Liberty Human Rights website](#).

Regarding question 7, the grounds for arrest are outlined in [Section 24 of the Police and Criminal Evidence Act 1984](#).

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

S31(1) - Evidence of Harm

A Freedom of Information Act request is not a private transaction. Both the request itself and any information disclosed, are considered suitable for open publication. This is because under the Act, any information disclosed is released into the wider public domain, effectively to the world, not just to an individual.

Whilst not questioning the motives of the applicant, providing any further information relating to tactical operations within Greater Manchester Police would reveal our operational capability, which would be of intelligence value to criminals.

Disclosure of investigative procedures will mean that those members of the public who are committing crimes and pose a risk to the public, would be able to formulate ways to circumvent these procedures. If disclosed the tactics used by GMP will become less effective and will mean that the police are not able to detect and prevent crime, apprehend, or prosecute offenders or to administer justice for the wider community.

There is always a duty of care to the public and the Police Service has a clear responsibility to ensure the prevention or detection of crime, and the apprehension or prosecution of offenders is always delivered. There are several tactics available to the Police Service to ensure the

effective delivery of operational law enforcement. In this case, specialist policing activity is required to undertake fair investigations where it may be necessary to progress a range of reasonable lines of enquiry.

As such, the disclosure of any further information which would hinder the forces law enforcement functions cannot be in the public interest.

Public Interest Test

Factors favouring disclosure for S31 - Where public funds are being spent, there is a public interest in accountability and justifying the use of public money. Disclosure of the requested information would enable the public to assess whether the force has appropriately taken steps to help reduce and detect crime by such means as developing investigative tactics. Release would enhance public debate as to whether the force is appropriately and effectively engaging with the threat posed by criminals.

Factors against disclosure for S31 - Disclosure that reveals our operational capabilities would compromise law enforcement tactics. Criminals could use the information to target areas of weakness knowing that their activities are less likely to be detected. It may be used by criminals who are intent on pursuing their criminal activity, to identify and exploit the limitations of these resources.

To release information relating to investigative tactics would have a detrimental effect on our policing capabilities. Therefore, to mitigate any risks, disclosure of this information needs to be protected, to ensure that those with intent to do so cannot manipulate it or undermine its purpose in any way.

Any disclosure of information which would compromise law enforcement tactics and thus lead to more crime being committed by reducing the opportunity for the prevention and detection of crime, would therefore increase the risk to public safety, which is not in the public interest.

Balancing Test

Law enforcement is of paramount importance and the Police service will not disclose information if to do so would undermine its purpose and place the safety of people at risk. Whilst there is a public interest in the transparency of using public money in policing appropriately and effectively engaging with the threat posed by criminals, there is a very strong public interest in safeguarding the integrity of police investigations and operations in this area.

As much as there is public interest in knowing that policing activity is appropriate and balanced in matters of law enforcement, this will only be overridden in exceptional circumstances. Any disclosure which hinders our capability and assists criminals cannot be in the public interest.

It is for these reasons that I have determined that the balance test favours non-disclosure of the requested information.

The rest of the information you have requested is not exempt and is provided below.

1. No.
2. No.

3. Exempt under S31, see above.
4. No. GMP's body worn video cameras do not provide live streaming.
5. Exempt under S21, see above.
6. Exempt under S21, see above.
7. Exempt under S21, see above.