

Date: 19th December 2024
Our ref: FOI/24/013771/V

FREEDOM OF INFORMATION REQUEST REFERENCE NO: FOI/24/013771/V

I write in connection with your request for information dated 05/12/2024, received by Greater Manchester Police (GMP) for the following information:

Question 1 Current and future strategic or operational implementations to prevent drink and drug driving.

Question 2 Drink/drug driving statistics for past 10 calendar years (arrests, charges).

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 all the information requested 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 which applies to question 1 of this request is:

Section 31(1)(a)(b) – Law Enforcement

Sections 31 is prejudice based and qualified exemptions; 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.

Public Interest Test

Harm

Disclosure of the details of operations relating to drink and drug driving which are receiving or will receive future support from Greater Manchester Police would reveal tactical capability and vulnerabilities and would compromise the efficient and effective conduct of Greater Manchester Police during these operations.

The safety of the public is of a paramount importance to Greater Manchester Police and to release the details of operations would compromise the safety of the public that Greater Manchester Police serve to protect.

Furthermore, this would impact the future law enforcement capabilities of Greater Manchester Police in the prevention and detection of crime as criminals intent on committing crime will have an insight on how and when police resources are used.

Section 31 – Factors Favouring Disclosure

To disclose details about drink and drug driving operations, be that ongoing or future, would show accountability of Greater Manchester Police. Disclosure would encourage public awareness and debate and may reduce crime or lead to more information being provided to Greater Manchester Police from the public for the prevention and detection of crime. Disclosure would also show Greater Manchester Police's use of resources to prevent crime.

Section 31 – Factors Favouring Non-Disclosure

To disclose details of operations being conducted 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 paramount importance to Greater Manchester Police and to release the requested information would compromise the safety of the community that Greater Manchester Police have sworn to protect.

Disclosure would lead to a greater impact on police resources, in that this could hinder the prevention and detection of crime and more crime being committed in the future. It would give advantage to those individuals intent on criminal activity, and it may assist potential criminals evading the police as policing levels would become evident. A fear of crime will be realised as criminals identify vulnerability and target and exploit the force 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 resource capability which could highlight which events the force is focussing more.

In accordance with the Act, this letter represents a Refusal Notice for question 1 of this request.

Response to Question 2

Caveats:

Please see the below for drink or drug driving offences for the period 1st January 2020 to 31st October. I've separated these into four offence types, Section 4, 5 and 5A of the RTA and Failure to Provide Specimen.

For a number of the Section 5a and Section 4 we will not have charge results yet due to the time length to get lab results back. Therefore, there might be a number of released without bail from which we are awaiting a charge result.

The data counts the number of offences rather than arrests, as one person might have two offence types for one custody reference, for example arrested for Section 4 driving whilst unfit, they are brought to custody where we can test for drink and drugs, then they will be arrested and charged for a section 5 or 5A.

Outcome for Section 4 offence	Total
Cautioned	1
Charged	313
Charged – Post Requisition	140
No Further Action	996
Pending	19
Police Bail for CPS Decision	27
Process Complete	1
Released without Bail	221
Taken into Consideration Complete	1
Total	1719

Outcome for Section 5a offence	Total
Cannabis Warning	7
Cautioned	2
Charged	169
Charged – Post Requisition	4132
No Further Action	2740
Pending	73
Police Bail for CPS Decision	149
Process Complete	7
Released without Bail	1224
Total	8503

Outcome for Section 5 offence	Total
Cautioned	1
Charged	6387
Charged – Post Requisition	279
No Further Action	1627
Pending	33
Police Bail for CPS Decision	29
Taken into Consideration Complete	1
Released without Bail	146
Total	8503

Outcome for Refused to Provide Specimen	Total
Cautioned	1
Charged	2228
Charged – Post Requisition	76
No Further Action	95
Pending	8
Police Bail for CPS Decision	7
Released without Bail	23
Total	2438