



Inspector Dave Lockyear
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Your ref: **Our ref:**

21 May 2008

Mr Ganesh Sittampalam
request-581-65d560f4@whatdotheyknow.com

Dear Mr Sittampalam

REQUEST FOR INFORMATION REF: COL/08/204

I write in connection with your request for information dated 21 May 2008 in which you seek access to the following information:

1. *A copy of any internal briefing material relating to the policing of demonstrations at any of the Church of Scientology's buildings.*

I confirm that we hold briefing material relating to the policing of demonstrations at the Church of Scientology.

I have today decided that this information is subject to an exemption in accordance with section 31 of the Freedom of Information Act – Law Enforcement.

Information is exempt under section 31 where its disclosure would, or would be likely to prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, or the administration of justice. This is a prejudice-based exemption subject to a harm test, which is detailed below. It is also a qualified exemption subject to the public interest test and the factors favouring disclosure and non-disclosure are listed below.

Evidence of harm

The briefing material contains strategic and tactical information relating to the method of policing the demonstrations at the Church of Scientology. Placing this information in the public domain would compromise the effectiveness of future operations and the safety of the public.

Wood Street Police Station

PO Box 36427, 37 Wood Street, London EC2M 2NP
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The Public Interest Test

Factors Favouring Disclosure

Accountability - when information disclosed relates directly to the efficiency and effectiveness of the force or its officers. The purpose of the Act is to make public authorities more accountable and this factor, therefore, may be applied to a wide range of scenarios, from how an individual or the force fulfils their role or function, to policy decisions that have been taken in relation to investigations or general policy issues. In this instance, disclosure would enable individuals to understand the manner in which such demonstrations are policed.

Public Awareness and Debate - where disclosure can assist individuals by raising awareness of issues, which may be of relevance to them. In this instance, there has been significant public interest regarding the Church of Scientology and disclosure of this information would contribute to a more accurate public debate.

Factors Favouring Non-Disclosure

Efficient and effective conduct of the service - where the current or future law enforcement role of the force may be compromised by the release of information. In this case, demonstrations continue to take place in the vicinity of the Church of Scientology and disclosure of independent legal advice could adversely impact on the policing of future operations. Additionally, disclosure of legal advice has the potential to damage the relationship between a lawyer and his or her client. Confidentiality promotes respect for the rule of law by encouraging clients to seek legal advice and allowing a full and frank exchange of information. Without confidentiality, clients may fear that anything they say to their lawyers, however sensitive or potentially damaging, may be revealed later and discourage the individuals from seeking advice in the future. The legal advice provided to the City of London Police remains current and may be relied upon in future investigations.

Public safety - There may be occasions where the release of information relating to public safety may not be in the public interest. Public safety is of paramount importance to the policing purpose and must be considered in respect of every release. In this case, disclosure would have a direct impact on future operations and could compromise public safety.

Balancing Test

Whilst accountability is a strong factor, disclosure is likely to adversely impact on future policing operations and public safety and the public interest test does not therefore favour disclosure at this time.

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Should you have any further questions regarding your request, please contact me via e-mail, letter or telephone, quoting the reference number above.

Yours sincerely

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