



Dear Ms Thompson,

Gloucestershire Constabulary Freedom of Information request 2014.5454

On the 13/05/2014 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. The final report following the conclusion of the investigation
2. A list of any persons interviewed, and /or job titles, and whether any of these were interviewed under caution
3. Whether or not the CPS were involved and if so, any relevant correspondence.
4. Correspondence between Gloucestershire Constabulary and Carmarthenshire County Council
5. A list, or summary, of all documents in either paper or electronic form which formed part of the investigation.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

1. Please see the exemption below.
2. No information held. That is to say that no individuals were interviewed by Gloucestershire Constabulary regarding this investigation.
3. No information held. That is to say that the Crown Prosecution Service were not involved.
4. No information held. That is to say that Gloucestershire Constabulary did not correspond with Carmarthenshire county Council.
5. Please see the exemption below.

Questions 1 and 5

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

The following exemptions apply:

Section 30(1)(a)(b) – Investigations and proceedings conducted by the public authority.

The above exemption is qualified and class based therefore a public interest test is required.

Section 30 – Factors favouring disclosure

Disclosure of this information would provide the public with an awareness of how the Police Service undertakes investigations and to satisfy themselves that an investigation has been thoroughly undertaken.



Section 30 – Factors favouring non-disclosure

The disclosure of this information could identify exactly how the police conduct investigations and when CPS are involved. In addition it could provide information to criminals as to the thresholds used for certain offences and the prosecution of those offences. This could lead to criminals using this information to avoid detection or by knowing the threshold for certain offences, modifying their criminal behaviour to avoid the higher sentence offences.

This would hinder the prevention and detection of crime and consequently the Force's law enforcement capabilities would be affected.

Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve and there is a public interest in the transparency of policing operations to ensure investigations are conducted appropriately.

To disclose the requested information would hinder the prevention and detection of crime and lead to criminals avoiding detection. It could also undermine the effectiveness of procedures used by other agencies to prosecute offenders.

Therefore it is our opinion that for these issues the balance test lies in favour of exempting the information.

By way of assistance, I can confirm that Dyfed Powys police have previously released the following information regarding the investigation:

“On 30th January 2014, three Public Interest Reports were published by the Wales Audit Office into matters relating to Carmarthenshire and Pembrokeshire County Councils. Following this, Dyfed Powys Police decided that the matters should be investigated ‘in the public interest’ to ascertain whether or not any criminal offences had taken place.

“Due to the close working relationships and partnership arrangements that exist between Dyfed-Powys Police and both local authorities, it was not appropriate for the Force to carry out the enquiry. As such, the matter was referred to Gloucestershire Constabulary who agreed to undertake the investigation.

“Gloucester Constabulary have now completed their enquiries and have confirmed that following an objective and independent analysis of the evidence, they did not find any evidence to suggest that any criminal offences had taken place. On the basis of this, Dyfed

Powys Police will be taking no further action in relation to these matters.

“Both local authorities have been advised of this decision.”

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

If we can be of any further assistance please do not hesitate to contact me.

Yours sincerely,

Miss G Richards
Disclosure Officer
Gloucestershire Constabulary