

much did he win/ lose?

-It has been reported that Mr. Balmforth had been writing a novel at the time of his disappearance. Is it known what the topic of his novel was, and could this heed any clues to his disappearance? Moreover, it has been mentioned that at the time of his disappearance that it is likely his script had been on his person. Was this ever substantiated? If it was, did any other copies of his book exist? (i.e. on his computer at home?)

-Has there ever been any suspects in this case in this case, and has foul-play ever been considered?

-Lastly, one theory to his disappearance is that he may have decided to swim the river Test as a shortcut to get back to his house. Has there been any evidence to suggest that this might be the case? Was the river test ever searched? Have any John Doe bodies found around the time of his disappearance been compared to Mr. Balmforth via DNA testing?

S30 Investigations and proceedings conducted by public authorities

S30(1)(a) relates to investigations in general terms and covers information that has been held by a public authority at any time in relation to a specific investigation, criminal or otherwise.

As a class-based and qualified exemption, I am required to apply the public interest test in relation to this exemption. However, since section 30 is class-based, legislators have already accepted that there may be harm in the disclosure of information contained within the class of investigations. As such, I am not required to evidence the harm.

S38 Health & Safety

S38(1)(a)(b) applies where disclosure of information would, or would be likely to, endanger the physical or mental health of any individual or the safety of an individual. This exemption applies to 'any individual'. This may be a police officer, a witness, a member of the public, the applicant, friends and relatives etc and the harm may be actual or perceived. It refers to physical, mental, emotional, psychological etc types of harm.



www.hampshire.police.uk

Deaf? Non-emergency text **07781 480999**

For crime and community information www.hampshirealert.co.uk

**HAMPSHIRE
ALERT**



S40 Personal Information

S40(2) applies to third party personal data. This would not be released under the Freedom of Information Act where any release would breach the data protection principles contained within the Data Protection Act (2018). In this case, s40(2) has been applied together with the condition in section 40(3)(a)(i). This is because any disclosure of the redacted information would breach the first data protection principle, fair and lawful processing. This is an absolute exemption and there is no requirement to apply public interest test

Evidence of Harm

The information you are requesting relates to missing person case which at the time received extensive media coverage. The information held by Hampshire Constabulary contains information which, if it were released into the public domain would compromise the integrity of any future activity in relation to the investigations. In addition, due to concerns over the health and safety of individuals linked to or somehow associated with this case and the family and friends of the victim this information would be harmful to release under FOI. Disclosure of the requested information may result in those individuals being subjected to new psychological, emotional and mental harm if this information were placed in the public domain and a public debate about this case were re-ignited.

Hampshire Constabulary must maintain its duty to protect members of its community from these potential negative health and safety implications and also to protect the identity of such individuals in the first place.

It should be clarified that a disclosure under FOI is a disclosure to the world so providing this information to a wider audience and into the public domain would further exacerbate the likelihood of these identified impacts.

Public Interest Test

	Favouring disclosure	Favouring non-disclosure
S30	Use of public funds and accountability.	Disclosure would undermine the partnership approach to law enforcement and may have a negative impact on the integrity of future investigations.
S38	Some information is already in the public domain.	Further disclosure at this time is likely to result in distress and emotional heartache for family and friends and those associated with this investigation.

Balancing Test

Whilst there is information already in the public domain and the force should be accountable for its use of public funds, further disclosure at this time is likely to be prejudicial to outstanding and on-going processes and is highly likely to cause further health and safety issues for family and friends of the subject of this case. As such, it is my decision that the public interest lies in the non-disclosure of the requested information at this time.



www.hampshire.police.uk

Deaf? Non-emergency text **07781 480999**

For crime and community information www.hampshirealert.co.uk



COMPLAINT RIGHTS

If you are dissatisfied with the handling procedures or the decision made by Hampshire Constabulary, you can lodge a complaint with the force to have the decision reviewed within 2 months of the date of this response. Complaints should be made in writing to the Public Access office at the address at the top of this letter.

If, after lodging a complaint with Hampshire Constabulary, you are still unhappy with the outcome, you may make application to the Information Commissioner at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, via telephone on 0303 123 1113 or 01625 545745 or at the website www.ico.org.uk

Yours sincerely

Rose Gaunt
Public Access
Joint Information Management Unit



www.hampshire.police.uk

Deaf? Non-emergency text **07781 480999**

For crime and community information **www.hampshirealert.co.uk**

**HAMPSHIRE
ALERT** 

