



**Kent
Police**



Mr. Fergus Wilson
request-656951-
c04dc6b0@whatdotheyknow.com

Direct Line: 01622 652610
E-mail: freedomofinformation@kent.police.uk

Date: 9th April 2020
FOI Ref: 20/03/0462

Dear Mr. Wilson,

Freedom of Information Request 20/03/0468

I write in response to your request for information under the Freedom of Information Act 2000 (FOIA) received on 28 March 2020.

OPERATION GREENFINCH

Bedsit Murders of Wendy Knell and Caroline Pierce in 1987

1) Can you confirm whether the files in relation to Operation Greenfinch are still held in the Basement of Cranbrook Police Station?

2) Has the 30 embargo on Members of the Public viewing these files now expired?

3) What arrangements have to be made to view these files?

Cranbrook Police Station is now closed, and physical files are no longer stored at this location. The investigation remains live, and the thirty year period will only commence from the date at which an investigation is archived. As the investigation remains live, arrangements cannot be made for public access to these files; this is reinforced by ICO Decision Notice FS50724702:

<https://ico.org.uk/media/action-weve-taken/decision-notice/2018/2259805/fs50724702.pdf>

4) Were any unaccounted for fingerprints found at Wendy Knell's bedsit in 14 Guildford Road?

5) Were any matching fingerprints found on the back Window Frame of The Ground Floor Flat 20 Guildford Road?

6) Was any matching DNA found in The Ground Floor Flat of 20 Guildford Road?

It must be remembered that any response issued under FOIA is considered a permanent release into the public domain. Information of the nature requested, were it held by Kent Police, would be for the purpose of conducting an investigation with a view to ascertaining whether a person ought to be charged with an offence, and would be exempt from release by virtue of the exemption at Section 30(1)(a)(i) FOIA. In accordance with Section 30(3), there is no duty to confirm or deny if such information were held, subject to a public interest test.

Whilst it could be considered that to confirm or deny whether such information were held would contribute to openness and transparency, to confirm or deny the existence of such information under FOIA would risk prejudice to the investigation by disclosing what evidence Kent Police may or may not hold with a view to ascertaining whether a person should be charged with an offence.

To confirm or deny if information relevant to these questions were held would risk prejudice to an ongoing investigation, hinder the prevention and detection of crime, and undermine the rights of

any individuals to a fair hearing and the rights of any victims to a fair outcome. Confirmation or denial would highlight to any individuals whether their activities have been detected or are being investigated, which would have the effect to encourage evasion from detection or the destruction of evidence, thereby hindering Kent Police's ability to investigate and detect criminal activity.

Where disclosure of information is considered in the public interest it is the duty of the Kent Police Press Office to communicate this to the public, where to do so would aid an investigation or provide relevant updates, without prejudicing an investigation. Were an investigation to be prejudiced by an inappropriate disclosure under FOIA then this would undermine the rights of all, but most importantly the rights of any victims to justice.

The ability to protect certain information from blanket disclosure under FOIA promotes information sharing between communities and Kent Police; it follows that confirmation or denial of the requested information into the public domain in these circumstances would erode public trust.

Beyond the basic aims of contributing to openness and transparency, it is rare that the public interest would favour disclosure under FOIA of specific details of a police investigation, especially a major and ongoing investigation, into the public domain. Confirmation or denial of the information requested under FOIA would have the potential to undermine this investigation, particularly if any later prosecutions were to fail owing to an adverse public disclosure of information.

In this case I find the public interest lies in favour of neither confirming nor deny if the information requested at questions 4, 5 and 6 is held. No inference can be made from this response that information relevant to these questions is or is not held.

If you have any queries about your request or the application of the Freedom of Information Act generally, please contact this office quoting the reference number above.

Yours sincerely,

Alan Muggridge

Public Disclosure Officer

Your right to appeal

We take our responsibilities under the Freedom of Information Act seriously but if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have 40 working days from the date the response is issued to request that Kent Police carry out an internal review.

If your request for a review concerns the decision to apply an exemption, it would assist if you would outline why you believe the exemption does not apply.

Kent Police will acknowledge receipt of any request for a review and aim to respond as soon as practicable, in most cases within 20 working days of receipt. If the review will not be completed in this timescale, you will be informed.

You may lodge your request for a review in writing:

Our email address is: freedomofinformation@kent.police.uk

Our postal address is:

Freedom of Information
Coldharbour,
London Road,
Aylesford,
Kent,
ME20 7SL

If you are still dissatisfied following our internal review, you have the right under section 50 of the Act to appeal directly to the Information Commissioner who would normally expect you to have exhausted the internal review procedure provided by Kent Police.

For information on how to appeal to the Information Commissioner please visit the website at www.ico.org.uk. Alternatively, phone or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113