



## ASSOCIATION OF CHIEF POLICE OFFICERS

c/o PO BOX 481  
Fareham  
Hampshire  
PO14 9FS

Tel: 02380 674255

Email: [acpo.request@foi.pnn.police.uk](mailto:acpo.request@foi.pnn.police.uk)

01/03/2013

Dear Mr Roulston

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 000017/13**

Thank you for your request for information regarding ACPO Minutes which has now been considered.

**Applicant Question:**

1. Could I please have a copy of the ACPO Council meeting held on 5th May 2010.
2. Could I please have copies of the 2010 Cabinet meetings held prior to the October 2010 filed on your website (dates unknown).

**ACPO Response:**

Section 17 of the Freedom of Information Act 2000 requires ACPO, when refusing to provide information by way of exemption, to provide you with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

ACPO do not hold information captured by your request. This is because there were no meetings held during May 2010 for Chief Constable's Council.

I have pleasure in providing to you, ACPO Cabinet meeting minutes for February, March, May, June, July and September held prior to the minutes as published on the ACPO website from October 2010.

I attach to this document, ACPO Cabinet Minutes for the following meeting dates:

03/02/2010  
03/03/2010  
31/03/2010  
05/05/2010  
09/06/2010  
07/07/2010  
08/09/2010

I have redacted section 12.1 under Any Other Business of Cabinet Minutes 19/07/2010. I am not obliged to provide information if the information held is exempt under section 31(1)(a)(b) Law Enforcement.

## **The legislation Section 31 Law Enforcement:**

- (1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to prejudice –
- (a) the prevention or detection of crime
  - (b) the apprehension or prosecution of offenders

Under Section 31 of the Act, ACPO is able to withhold information if its disclosure would, or would be likely to prejudice the prevention or detection of crime or the apprehension of offenders.

I have applied this exemption as in order to satisfy your request, specific intelligence handling, and multi agency engagement processes would have to be placed into the public domain. These processes, if available to a criminal, would provide them with a tactical advantage over the police service. The offender, with knowledge of intelligence sharing techniques, would alter their behaviour to counter police tactics. The offender would accordingly be more able to commit crime (i.e. resisting arrest or a lawful search).

This knowledge would likely provide the offender with greater confidence in committing crime, leading to further crime being committed by the offender. Knowledge of police processes with regard to intelligence handling would render the police service vulnerable to offenders intent on committing crime.

ACPO is committed to providing a service to the public and an important part is to share information of public interest. In this case, the release of the section of the minutes that I have redacted would ensure that the general public have a full understanding of specific data processes and information sharing, facilitating for an informed and accurate public debate in this area of policing.

However, the role of the police service is to prevent and detect crime. It is likely that an offender, with knowledge of police processes, would alter their behaviour enabling them to commit further crime. In addition an offender, armed with a detailed knowledge of police information sharing process, would feel more confident in committing crime. This would be likely to lead to further crime being committed by an offender.

There are occasions where the release of information relating to police processes would have an adverse effect upon public safety.

Though I accept that complete transparency in response to requests concerning police processes and how information and intelligence is shared with other agencies would engage the general public facilitating informed public debate, there is a considerable risk that release would make the investigation of criminal behaviour more difficult. The release of any information that is likely to assist an offender cannot be in the public interest, for this reason, I am unable to provide you with all of the information being sought.

Yours sincerely

Sherry Traquair  
**Freedom of Information Officer & Decision Maker**

[www.acpo.police.uk](http://www.acpo.police.uk)

## **COMPLAINT RIGHTS**

### **Internal Review**

If you are dissatisfied with the response you have been provided with, in compliance with the Freedom of Information legislation, you can lodge a complaint with ACPO to have the decision reviewed within 2 months of the date of this response. The handling of your request will be looked at by someone independent of the original decision, and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to ACPO Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

If, after lodging a complaint with ACPO, you are still unhappy with the outcome, you may make an application to the Information Commissioner at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.