



Hampshire Constabulary

Chief Constable Alex Marshall QPM

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Our ref: HC/002567/12
Your ref:

28 January 2013

Dear Mr Reynolds

FREEDOM OF INFORMATION REQUEST

Could I have a list of names and roles in the Hampshire PSD.	Please find enclosed the information you have requested. Some information has been redacted by virtue of the following exemptions: S40(2) Personal information S31(1)(a)(b) Law enforcement
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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 (1998). 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.

This exemption has been applied to the names of junior members of staff and/or those members of staff who do not have decision-making responsibilities. In addition, names of officers in sensitive roles have also been redacted

S31 Law enforcement

Information is exempt from disclosure under s31(1)(a)(b) where the release of information would, or would be likely to, prejudice the prevention and detection of crime and/or the apprehension or prosecution of offenders. This exemption is qualified and prejudice-based and, as such, I am required to evidence the harm in disclosure and apply the public interest test.

Evidence of Harm

Information has been exempted where it relates to individuals and functions that are involved in sensitive areas of policing in respect of the PSD function. The provision of information around the number of staff in certain roles, for example, may provide intelligence in respect of capacity and resilience.



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In addition, whilst the names of certain staff have been exempted under personal information, there are also law enforcement issues in respect upholding the anonymity of certain officers in specific roles to ensure they are able to undertake their roles without having been publicly identified.

Public Interest Test

Favouring disclosure	Favouring non-disclosure
Accountability –in this case, the force is accountable for its performance in respect of the level of resources it dedicates to PSD.	Law enforcement tactics are likely to be compromised and undermined. Providing information about officer and staff numbers for certain specialist roles is likely to provide a clear indication of resilience and capacity to investigate.

Balancing Test

The key factor favouring non-disclosure in this case relates to the accountability of the force in respect of the resources it dedicates to the functions within the Professional Standards Department.

However, this must be balanced against ensuring that the effective and efficient conduct of the force is maintained and the professional standards function is not undermined.

In this case, therefore, it is my decision that the public interest lies in the non-disclosure of the exempted information.

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 FOI Section 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.

Yours sincerely

Rebecca Warhurst
Public Access
Joint Information Management Unit