

By Email

Ref: FOI2020-02

24 February 2020

Dear Mr Williams,

FREEDOM OF INFORMATION REQUEST

Thank you for your email of 25 January 2020, in which you ask for information held by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) relating to Greater Manchester Police computer system.

2. Your request has been handled as a request for information under the Freedom of Information Act 2000 (FOIA). Your request was in the following terms:

Please provide the report into Gtr Manc. police computer system known as iOPS

3. I can confirm that HMICFRS holds the information that you have requested. However, after careful consideration we have decided that the information is exempt from disclosure under section 22 of the FOIA. This provides that information can be withheld if it is intended for the information to be published at a future date and the public interest falls in favour of maintaining the exemption.

4. s22 is a qualified exemption and we therefore must consider whether the public interest in maintaining the exemption is greater than the public interest in disclosing the requested information. Arguments for and against disclosure in terms of the public interest, with the reasons for our conclusion, are set out in the attached [Annex A](#).

5. If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference FOI 2020-02. If you ask for an internal review, please state why you are dissatisfied with the response.

Chief Operating Officer
HMICFRS
6th Floor, Globe House
89 Eccleston Square
London
SW1V 1PN
E-mail: HMICFRSFol@hmic.gsi.gov.uk

6. As part of any internal review HMICFRS's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely,

On behalf of

HMICFRS FOI Team

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services

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ANNEX A

Some of the exemptions in the FOI Act, referred to as 'qualified exemptions', are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in maintaining the exemption. We must carry out a PIT where we are considering applying any of the qualified exemptions in response to a request for information.

The 'public interest' is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community if the information is released or not. Transparency and the 'right to know' must be balanced against the need to enable effective government and to serve the best interests of the public. The detail of the exemption we have applied in this case is set out below.

Section 22

Section 22 provides an exemption for information that is intended to be published in the future.

Information is exempt if, at the time when the public authority receives a request for it:

- the public authority holds the requested information;
- the public authority intends the information to be published at some future date, whether that date is determined or not; and
- in all the circumstances it is reasonable to withhold the information until its planned publication.

Public interest test in relation to section 22 of the FOIA (qualified exemption)

We consider that the information held engages the exemption at section 22 of the FOIA (information intended for future publication). The exemption under s22 is qualified and is subject to the balance of the public interest. As such, we are required to balance the public interest between disclosure and non-disclosure.

In favour of providing the information, we acknowledge that disclosure of this information might provide assurance on the efficiency and effectiveness of both Greater Manchester Police and HMICFRS.

However, whilst we accept that there is a public interest in the report being published, HMICFRS must have space to be able to determine its own publication timetable to deal with the necessary preparation, administration and context of publication. We must also ensure that the report is relevant to the public and robust.

The Act recognises that the coincidence of individual requests for information should not determine the publication timetables of public authorities, for example by forcing them into premature publication. This protection is afforded whether it is the public authority itself, which is the case here, or another person that intends to publish. Given this, we judge that the balance of interest lies in not disclosing the information held at this time.