

26<sup>th</sup> May 2023

JH [request-931146-27662e2d@whatdotheyknow.com](mailto:request-931146-27662e2d@whatdotheyknow.com)

Dear Mx James

**Internal Review ref 23.000393 of Freedom of Information Request – Reference 22.009202**

Thank you for your request for an internal review. Please also accept our apologies that we have not been able to respond to your Internal Review Request nor the FOI within the required timescale. Unfortunately, SYP is currently dealing with extended staffing issues, as well as with an increased amount of requests, which have contributed to a large backlog. Please be assured that we are doing everything we can to clear the backlog but are currently experiencing ongoing delays. The Information Commissioner's Office is aware of the issues we are dealing with and the steps we are taking to address this. Thank you for your patience awaiting your response and my sincere apologies for all inconvenience caused.

You have requested below:

- 1. Name, rank of: Gold, Silver, Bronze Commanders.**
- 2. Name, rank of any Senior Investigating Officer.**
- 3. Terms of reference.**
- 4. Date of first entry in policy log (policy book).**
- 5. Date of last entry in policy log/book.**
- 6. Budget for the operation.**
- 7. Annual expenditure on the operation.**
- 8. Memorandum of understanding (MoU).**
- 9. Command protocols.**
- 10. Gold strategy.**
- 11. Tactical parameters.**
- 12. Operational constraints.**
- 13. Community impact assessment.**

TO respond to your request, I have reached out to the Officer in Case and local Neighbourhood Policing Team, please below answers to Q1-13:

- 1. Name, rank of: Gold, Silver, Bronze Commanders.**
  - a. From a Major Crime perspective the investigation set up does not include Gold Silver Bronze Commanders, this is more affiliated with Public order command structures.
- 2. Name, rank of any Senior Investigating Officer.**

- a. The Senior Investigating Officers who have had involvement with this investigation are DCI Ashmore, DCI Hakin (both retired), and the current Senior Investigating Officer is DI Bolger.

**3. Terms of reference.**

- a. Not sure what the applicant is referring to when they are asking for the 'terms of reference'. I can only assume that the applicant is asking how a Homicide investigation is managed. If this is the case then I can expand on the fact that a typical Homicide investigation can be split into three distinct strategic phases.
  - i. Phase 1 - Instigation and initial response – this involves the deployment of officers to the report of an incident, which may be a homicide, and the action they take to preserve life, secure the scene, arrest offenders and locate material.
  - ii. Phase 2 - The investigation – this involves developing investigative strategies for gathering the material needed to establish that the incident is a homicide, identifying and arresting suspects, and gathering material for a prosecution.
  - iii. Phase 3 - Case management – this involves post-charge enquires, preparing the material gathered for the prosecution and the defence, and managing witnesses and exhibits throughout the trial process.

**4. Date of first entry in policy log (policy book).**

- a. 16/08/2018

**5. Date of last entry in policy log/book.**

- a. 09/11/2022

**6. Budget for the operation.**

- a. Unfortunately I am unable to provide the exact amount of expenditure for the working hours for all the resources on this investigation as normal office working hours are not subject of record for each individual case. What I can provide is the overtime expenditure which is attributed to resources working extended duties on this investigation. The overtime expenditure records detail the following; in 2018 financial year £61,274.61 overtime was incurred / 2019 financial year £5,785.63 overtime was incurred / 2020 financial year £138.00 overtime was incurred.

**7. Annual expenditure on the operation.**

- a. There isn't a set annual expenditure listed for this operation. If overtime is worked then this may come from a generic teams overtime budget, unless there is a predetermined need for a significant amount of overtime expenditure which would then lead to a bespoke budget request.

**8. Memorandum of understanding (MoU)**

- a. The existence of a Memorandum of Understanding (MOU) is something that would relate to something specific, for example information sharing with another force or organisation. Therefore to be able to answer this point I would need the applicant to expand on what the MOU related to, or whether this was just a general request as to whether there were any MOU's as part of the investigation.

**9. Command protocols.**

- a. I'm not actually sure what the applicant is referring to with regards to Command Protocols. Hopefully the details provided in Point No. 3 above will assist the applicant in explaining the protocol of how the SIO commands / manages a Homicide investigation.

**10. Gold strategy.**

- a. As per the answer provided to point No. 1, the investigation did not have a Gold Strategy as such due to the investigation set up to manage Homicides.

**11. Tactical parameters.**

- a. The main issue that exists with regards to the Tactical parameters and Operational constraints, centre around the manhunt for FARRAH, and that even if he is located abroad we have no power to arrest him and bring him back to the UK.

To have him located, arrested and extradited back to the UK requires a charging decision by the CPS and the issue of an Interpol Red notice. CPS, based on the fact that there is insufficient evidence to charge FARRAH at this time, will not issue a charging decision in this case which therefore significantly hampers tactical and operational opportunities with regards to arresting FARRAH in another country. He can only be interviewed by consent if he is abroad which means he has to agree to this. There are Interpol Blue notices issued for FARRAH that will assist in identifying any area that he travels to, and enforcement agencies will check and corroborate his details, address etc.

The only way that the subject can be arrested is if he returns to the UK. I am very confident that if he does so he will be arrested, either through the checks conducted on individuals coming into the UK as Border Force would pick up on the fact that FARRAH is wanted, or alternatively if he manages to enter the UK in a manner that evades Border Force checks, any commits a crime and is processed under his own or another name.

**12. Operational constraints.**

- a. Please see answer to Point No. 11 above

**13. Community impact assessment.**

Please note I am providing you with a copy of Community Impact Assessment, this will be attached as a separate pdf document. Please note that it contains data that have triggered Section 40(2) of Freedom of Information Act 2000, which provides that information is exempt if it is the personal data of someone other than the applicant and disclosure would breach any of the data protection principles. The term 'personal data' means data that relates to a living individual who can be identified. This is an absolute exemption and therefore a Public Interest Test is not relevant.

Parts of the Community Impact Assessment also have been redacted under Section 31 (1) (a) (b) Law Enforcement of Freedom of Information Act 2000, which states that information is exempt information if its disclosure under the Act would, or would likely to prejudice:

- a) The prevention or detection of crime;
- b) The apprehension or prosecution of offenders.

This exemption is a qualified and prejudice-based exemption and therefore the legislators accept that there may be harm if released. The authority has to consider and describe the harm that would occur if a full disclosure of information were released.

**HARM**

It is important to stress that when a disclosure is made under the Freedom of Information Act 2000, it is a disclosure to the world and not to a single individual. In view of this, we may publish information released under the Freedom of Information Act on our website in order

that any member of the public who may wish to view the information can have access to it.

The disclosure of information which is likely to undermine the Police service's ability to serve the public in preventing and detecting crime can only be considered as being harmful to the public

#### PUBLIC INTEREST TEST

##### CONSIDERATIONS FAVOURING DISCLOSURE:

A full release of information would show that SYP is proactive in its operational policing. Disclosure would demonstrate SYPs commitment to transparency and openness.

##### CONSIDERATIONS FAVOURING NON-DISCLOSURE:

Police resources and the Force's ability to operate effectively and efficiently, would be affected as this information can be used by those with criminal intent to determine where officers may or may not be deployed at any one time. More crime would be committed by those individuals' intent on committing offences which would impact of the force and the safety of members of the public.

#### BALANCING TEST

The Police Service is tasked with enforcing the law and protecting the community we serve and there is a public interest argument in ensuring we are open and transparent. However, the disclosure of police resources which would harm the ability of South Yorkshire Police to prevent and detect crime is a more influential reason. It is therefore my opinion that the balance lies in favour of non-disclosure of the information at this time.

If you remain dissatisfied with the handling of your review, you have a right to appeal to the Information Commissioner at:

The Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire, SK9 5AF.  
Telephone: 08456 306060 or 01625 545745  
Website: [www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely

**Magda Schulz**  
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