



Mr Neil Wilby
Sent by email only:
request-735702-
dc81146c@whatdotheyknow.com

Our ref: GSA 899/21
Please quote our reference
number when responding

5th September 2022

Dear Mr Wilby,

FREEDOM OF INFORMATION (“FOI”) REQUEST REFERENCE NO: GSA 899/21

I write in connection with your request for information dated 12th March 2021, I note you seek access to the following information:

Your FOI Request

In the case of each of the three named operations: A. Exmoor B. Green Jacket C. Hexagon:

1. The rank and name of the Gold Commander
2. The Senior Investigating Officer
3. The Terms of Reference
4. The date of the first entry in the Policy Log (or Policy Book).
5. Budget allocated in financial years 2020/21 and 2021/22.
6. Number of arrests from inception to 1st March 2021.
7. Number of files sent to CPS for charging decision in same period.

Result of Searches

Following receipt of your request, searches were conducted within Greater Manchester Police to locate information relevant to your request. I can confirm that the information you have requested is held by Greater Manchester Police, however, I am not obliged to supply some of the information as some exemptions apply.

In respect of Q1, Q2 and Q5, the information will be disclosed. For the remaining questions (Q3, Q4, Q6 & Q7), information will not be provided as some exemptions apply to them. Please see the responses below.

Response to Q1

- Op Hexagon - This is not a specific operation, but it is an overarching name given to managing issues on the Oldham District.
- Op Green Jacket - Gold is DCC Hussain.
- Op Exmoor - Gold is ACC Porter.

Response to Q2

- Op Hexagon - This is not a specific operation, but it is an overarching name given to managing issues on the Oldham District.
- Op Green Jacket - DCI Ali
- Op Exmoor - DI Ogden

Response to Q3 and Q4

Section 17 of the Freedom of Information Act 2000 requires GMP, when refusing to provide such information (because the information is exempt) to provide you, the applicant, with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption that applies to both questions is Section 30(1)(2)(a) of the Freedom of Information Act 2000 – Investigations and Proceedings Conducted by Public Authorities. Section 30 is a class based qualified exemption; there is a requirement to carry out a public interest test to both questions.

Public Interest Test for Q3:

Factors Favouring Disclosure – The disclosure of the Terms of Reference, would show GMP's accountability in the use of public funds when policing particular areas.

Factors Favouring Non-Disclosure – Conversely to the factors in favour of non-disclosure, to publicly release Terms of Reference, would hinder and frustrate GMP's ability to investigate these matters as well as future operations of this nature. The Terms of Reference contain specific information, that if released to the public, may alert offenders to the investigation and lead to the potential loss of evidence and put the public at risk of further harm and prejudice the investigation

Public Interest Test for Q4:

Factors Favouring Disclosure – To disclose information, into the public domain, would show GMP's accountability, and satisfy the public, that investigations into such incidents are being conducted correctly. It would also show GMP's use of public funds investigating incidents of this nature.

Factors Favouring Non-Disclosure – The Information is held for purposes of investigations and proceedings conducted by public authorities and the release of such data would frustrate GMP's ability to effectively investigate these offences. It would also have an impact on the future law enforcement capabilities of GMP, as it could disclose policing investigative techniques, thus hindering any future prevention or detection of crime.

Balancing Test – When balancing the public interest test GMP must consider whether the information should be released into the public domain, therefore arguments need to be weighed against each other.

The most persuasive reason for disclosing the information would be the fact that disclosure would encourage transparency. This needs to be weighed against the strongest reason for

non-disclosure, which in this case is the impact on GMP's ability to effectively complete investigations to a full and correct conclusion.

Therefore, having considered all the factors for and against disclosure, it is the decision to maintain the above exemption and withhold access to the information both Q3 and Q4.

Response to Q5

Op Exmoor – There is no specific budget for this operation.

Op Green Jacket -

- a. 2020/21 spend: £1,110,983
- b. 2021/22 spend: £893,294

Op Hexagon – There is no specific budget for this operation.

Response to Q6

Section 17 of the Freedom of Information Act 2000 requires GMP, when refusing to provide such information (because the information is exempt) to provide you, the applicant, with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption that applies is Section 22(1)(a) of the Freedom of Information Act 2000 – Information intended for future publication. Section 22 is a qualified exemption that requires a public interest test. The exemption does not require a set publication date to be in place as GMP will publish the information at some time in the future.

Public interest test:

Factors Favouring Disclosure - Disclosure of the requested information at the present time would allow the public to have access to the information immediately, would enhance public knowledge of the subject and would promote the accountability and aid transparency of GMP.

Factors Favouring Non-Disclosure - Reviewing and formatting the data at the present time, in response to a Freedom of Information request, would be a duplication of work and would involve a disproportionate use of GMP resources and would not be an economical use of public funds. Additionally, should the data from the upcoming report be released prematurely, there is the possibility that it may contain inaccuracies if it has not been subject to full scrutiny procedures.

Balancing Test - When balancing the public interest test, we must consider whether the public interest is best served by the release of the information into the public domain immediately or by the withholding of the information. Arguments need to be weighed against each other. The most persuasive reason for disclosure is the facilitation of transparency of GMP, which needs to be weighed against the strongest negative reason, which, in this case, is the disproportionate use of GMP resources and an uneconomical use of public funds.

Therefore, the requested data is exempt from disclosure in response to a Freedom of Information request due to its future official publication by GMP.

Response to Q7

Section 17 of the Freedom of Information Act 2000 requires GMP, when refusing to provide such information (because the information is exempt) to provide you, the applicant, with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption that applies is Section 30(1)(2)(a) of the Freedom of Information Act 2000 – Investigations and Proceedings Conducted by Public Authorities. Section 30 is a class based qualified exemption; there is a requirement to carry out a public interest test to both questions.

Public interest test:

Factors Favouring Disclosure – To disclose information, into the public domain, would show GMP's accountability, and satisfy the public, that investigations into such incidents are being conducted correctly. It would also show GMP's use of public funds investigating incidents of this nature.

Factors Favouring Non-Disclosure – To publicly release information from an investigation that remains open may seriously undermine GMP's ability to complete the investigation to a full and correct conclusion. It would also have an impact on the future law enforcement capabilities of GMP, as it would disclose policing investigative techniques, thus hindering any future prevention or detection of crime.

Balancing test – When balancing the public interest test GMP must consider whether the information should be released into the public domain, therefore arguments need to be weighed against each other.

The most persuasive reason for disclosing the information would be the fact that disclosure would encourage transparency. This needs to be weighed against the strongest reason for non-disclosure, which in this case is the impact on GMP's ability to complete investigations to a full and correct conclusion.

Therefore, having considered all the factors for and against disclosure it is the decision at this time to maintain the above exemption and withhold the information from disclosure.

Complaints Rights

Your attention is drawn to the attached sheet, which details your right of complaint.

Should you have any further inquiries concerning this matter, please email FreedomOfInformation@gmp.police.uk quoting the reference number above.

Yours sincerely,

Raja Mati
ICO & Complaints Liaison Officer
Information Compliance & Records Management Unit

COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to require Greater Manchester Police to review their decision.

Prior to lodging a formal complaint, you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to email the case officer that is nominated at the end of your decision letter.

That person will be able to contact you to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision of Greater Manchester Police made under the Freedom of Information Act 2000 regarding access to information, you can lodge a complaint with Greater Manchester Police to have the decision reviewed.

Complaints should be made in writing and addressed to:

Information Compliance & Records Management Unit Manager
Information Compliance & Records Management Unit
Information Services Branch
Greater Manchester Police
Openshaw Complex
Lawton Street
Manchester
M11 2NS

The Information Commissioner

After lodging a complaint with Greater Manchester Police if you are still dissatisfied with the decision, you can make an application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

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

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Phone: 01625 545 700