



Our Ref: 0437.2020-21
Date: 17 November 2020

Civil Disclosure
Joint Corporate Legal Services

Dear Applicant,

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 0437.2020-21

I write in connection with your request for information which was received by North Yorkshire Police on 13 September 2020. Please accept our apologies for the delay in providing you with a response. I note you seek access to the following information:

Please will you supply me with a copy of your policy on single crewing police officers.

Extent and Result of Searches to Locate Information

To locate the information relevant to your request searches were conducted within North Yorkshire Police.

I can confirm that the information you have requested is held by North Yorkshire Police.

Decision

I have today decided to disclose the located information to you.

Please see the attached document on North Yorkshire Police's policy on Safe Crewing Procedure.

Please note this document has been redacted in accordance with S.31 of the Freedom of Information Act. This is explained below.

Section 17 of the Act requires North Yorkshire Police, 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. Please see the relevant exemption headers below for further information.

Section 31 – Law Enforcement

Section 31 is a prejudice based qualified exemption and there is a requirement to articulate the harm that would be caused in the disclosure of any information, as well as carrying out a public interest test.

Evidence of Harm

As you may be aware, disclosure under FOIA is a release to the public at large. Whilst not questioning the motives of the applicant, releasing any information held regarding police tactics in relation to crewing procedure would be released to the public domain, which could have negative consequences to effective policing and the protection of the public.

Factors favouring disclosure under Section 31

There is public interest in how the Police operate in order to protect the public from risk of harm. Disclosure could raise the public's confidence in the police's ability to protect them from harm and raise confidence that the Police were readily available across the county in order to respond to threats or criminal activities.

Factors against disclosure under Section 31

Disclosing policies such as police crewing procedure involves disclosing police tactics. As mentioned this is a disclosure to the public domain and this would allow criminals to anticipate and prepare for situations in which police officers would respond and the number of deployed officer likely to attend in each situation.

Balance test

Although there is benefit of the public knowing of police tactics in relation to crewing procedure of officers this is outweighed by the harm that can be done if criminals were able to anticipate and counter through the use of this information. As such the test is not passed. I have redacted the information accordingly.

Pursuant to Section 17(1) of the Act this letter acts as a Refusal Notice in response to your request

Please note that systems used for recording information are not generic, nor are the procedures used locally in capturing the data. It should be noted therefore that this force's response to your questions should not be used for comparison purposes with any other responses you may receive.

Complaint Rights

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

If you have any queries concerning this request, please contact me quoting the reference number above.

Yours sincerely

Sam Allon
Legal Officer (Civil Disclosure)
Joint Corporate Legal Services

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 request that North Yorkshire Police 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 telephone the case officer that is nominated at the end of your decision letter.

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

Complaint

If you are dissatisfied with the handling procedures or the decision North Yorkshire Police made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with North Yorkshire Police to have the decision reviewed. North Yorkshire Police must be notified of your intention to complain within 2 months of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Force Solicitor and Head of Legal Services
North Yorkshire Police
Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1BF

In all possible circumstances North Yorkshire Police will aim to respond to your complaint as soon as practicable but within 20 working days.

The Information Commissioner

After lodging a complaint with North Yorkshire Police if you are still dissatisfied with the decision you may make 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 application to the Information Commissioner please visit their website at <https://ico.org.uk> Alternatively, phone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF