

EXEMPTION NOTICE

Reference 3329/13

Information Requested

- **How many passed and how many failed?**

Applicable Exemption

Section 31 (1)(a)(b)(c) - Law Enforcement

Reason For Applying The Exemption

Harm

Disclosing numbers of officers who have taken fitness tests in specialist units, thus revealing the strength of those units, would provide persons intent on criminal activities, with invaluable information as to the tactical capability of the Force in those areas. Thus allowing them to adjust their own tactics accordingly.

Considerations Favouring Disclosure

Police Forces need to be properly equipped in order to meet the demands placed upon them. This information could go some way towards reassuring the public that the West Midlands Police Force is adequately prepared in all areas.

Considerations Favouring Non-Disclosure

The release of information disclosing the exact capabilities of West Midlands Police would furnish individuals or groups with the opportunity to fully understand the police capacity and therefore be more effective in carrying out criminal activities. It is the duty of the police to protect the public from all criminal attacks. There is evidence that criminals use information to change tactics and method of attack. Therefore the safety of the public could be compromised and inappropriate release could cause damage to the service and the community.

Conclusion

For a public interest test, issues that favour release need to be measured against issues that favour non-disclosure. The public interest is not what interests the public, or a particular individual, but what will be the greater good, if released, to the community as a whole.

We recognise that the public interest in being open and transparent is of great importance to all and release of information may assist in the public being more aware of the work that the police are carrying out. However, while the public interest

considerations favouring disclosure are noted, this must be balanced with the impact any release would have on the operational capability of the police.

Because the Freedom of Information Act is 'applicant blind', any information released under the Act is available to everyone. It is well documented that criminals will use every advantage they can gain to successfully carry out their criminality.

Therefore it is my view that the perceived public safety derived from non-disclosure is of greater importance than the perceived public confidence derived from disclosure. In this case, at this time, it would not be in the public interest to release this information. West Midlands Police will not disclose information that could harm the public or that could compromise the safety and operational effectiveness of its officers.