

Public Interest Test – 1103A/20**Applicable exemption:**

Section 31(3) – Law enforcement

Overall Harm

Confirming that further data are held with respect to discreet or covert policing work would be harmful to those employees working within those buildings and to the work they are conducting. It could also lead to those premises being targeted by criminals in a bid to disrupt the policing activity taking place and gain access to information that would enable them to avoid detection, apprehension and subsequent prosecution. If these buildings were compromised it would undermine current operations and initiatives, covert policing tactics and sources.

Disclosing whether any further information is, or is not held, would give an indication of the assets available (or not available) to West Midlands Police.

Many criminals are constantly active and astute in their assessment of police capabilities and will capitalise on any information they can glean about police activities. Using the information to compromise policing methods will assist their offending behaviour.

Factors favouring disclosure

Where public funds are being used by West Midlands Police, the public have an interest in knowing what it is being used for. Disclosure of this information would inform the public of precisely where their money is being spent, so that they can be satisfied that it is being used efficiently. We recognise that there is a call for openness and transparency and disclosure of information may aid in showing the public how we direct our publically funded resources. This in turn may promote and instil greater confidence in the communities that we serve.

Factors against disclosure

There is an inherently strong public interest in public authorities carrying out law enforcement activities effectively and efficiently to ensure the prevention and detection of crime as well as the apprehension and prosecution of offenders. This aids in increasing the chances of offenders being brought to justice and necessary checks and balances are already in place to safeguard public funds and resources. To allow the effectiveness of either fundamental law enforcement activity to be reduced, as described in the harm above, is not in the public interest.

Confirmation or denial that further information is or is not held would have a negative impact on the effectiveness of current and future operations for dealing with offenders that require

the use of the police service's most sophisticated law enforcement tactics and would not be in the public's interest.

Balance Test

For a public interest test, issues that favour disclosure 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. In considering the public interest in relation to this request, I must balance the factor in relation to transparency and accountability, against the public interest in ensuring that West Midlands Police are able to appropriately enforce the law.

Confirming or denying whether any further information is or is not held would allow criminals to be able to identify the assets available to West Midlands Police, thus undermining operations and compromising law enforcement tactics, meaning that the police service is less effective.

West Midlands Police has a duty to deliver effective law enforcement, ensuring the prevention and detection of crime, and the apprehension of offenders. Therefore, it is my opinion that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. West Midlands Police will not disclose information that would compromise the future law enforcement role of the force.