

S30(1)(a) – Investigations and Proceedings

Factors Favouring Disclosure

Disclosing information about investigations would provide a greater transparency in the investigating process and the actions of a public authority. It is clear that there is a public interest in public authorities operating in as transparent a manner as possible, as this should ensure they operate effectively and efficiently. Disclosure of the requested information could help to ensure that authorities do not overlook issues which they should investigate or that they have good reasons for not investigating.

There is a clear public interest in ensuring that public authorities do not act outside their authority by investigating matters which fall outside their remit. By disclosing information held in relation to investigations should provide the necessary safeguards and satisfy the public interest in this matter.

Factors Favouring Non-Disclosure

The interest of the public is best served by the non-disclosure of information which adversely affects the reputation of an individual e.g. whether they are involved in a police investigation.

The public must be confident that West Midlands Police are committed to ensuring that information provided by them will only be used for appropriate purposes and that the confidentiality of any information given will be maintained. Therefore they should be assured that West Midlands Police would not disclose information that would breach confidentiality.

There is an inherently strong public interest in public authorities carrying out investigations to prevent and detect crime. This ensures that offenders are brought to justice and that the necessary checks and balances are in place to safeguard public funds and resources. To allow the effectiveness of investigations to be reduced, is not in the public interest. West Midlands Police need to be allowed to carry out investigations effectively away from public scrutiny until such times as the details need to be made public, otherwise it will be difficult for accurate, thorough and objective investigations to be carried out.

Balancing Test

The Police Service is tasked with the delivery of effective law enforcement and ensuring the detection and prevention of crime. It is our belief that what is important is the ability to ensure investigations run smoothly.

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.

The issues of transparency and awareness are noted. However, on balance it is considered that the public interest in disclosure of the requested information is outweighed by the potential impact release would have on individual's privacy and on future law enforcement activities.

West Midlands Police will not disclose information that could reveal personal information or could compromise the future law enforcement role of the force.