

Request Reference: 658A/22

Applicable exemption:
Section 31(1)(a)(b) – Law enforcement

Harm

Policing is an information-led activity, and recording of all offences (including serious offences), forms part of a fundamental day-to-day delivery of effective operational law enforcement.

Although purely statistical data, to release any information relating to serious offences would reveal investigative activity enabling serious offenders to identify force areas which may be 'safer' to carry out their offending.

Releasing all of the requested information would be extremely useful to those involved in serious criminal activity, which would ultimately undermine ongoing investigations and could lead to police officers having to be removed from their frontline duties in order to increase manpower on an investigation.

Public Interest Test

S31 - Factors Favouring Disclosure:

The public are entitled to know how public funds are spent and how resources are distributed within an area of policing. Disclosing information relating to serious offences would enable the general public to hold West Midlands Police to account, ensuring all such offences are recorded and investigated appropriately. This would lead to a better-informed public, which may encourage individuals to provide intelligence in order to reduce offences.

S31 - Factors Favouring Non-Disclosure:

The disclosure of this information could compromise law enforcement tactics, which may hinder the Police force's ability to prevent and detect crime and could be detrimental to the effective operation of policing activities. Security measures are put in place to protect the community we serve. As evidenced within the harm, to disclose details of serious offences would highlight vulnerabilities within West Midlands Police to individuals intent on carrying out criminal activity.

Disclosing all of the requested information would be to disclose the force's capabilities and any vulnerability which would compromise law enforcement. The cumulative effect of criminals gathering information from various sources would have a greater impact when linked to other information gathered from various sources about serious crime. The more information disclosed over time will give a more detailed account of the tactical infrastructure of not only a force area but also the country as a whole.

West Midlands Police has a duty of care to the community at large and public safety is of paramount importance. If an FOI disclosure revealed information to the world that would undermine the security of the national infrastructure, offenders could use this to their advantage which would compromise public safety and more worryingly, encourage offenders to carry out further crimes. Therefore, release of the information would provide the people we are investigating with valuable information that would assist them with their activities, allowing them the opportunity to alter their behaviour to avoid detection.

Balancing Test

For a public interest test, factors that favour disclosure of the requested information, need to be measured against factors 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 Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, information is gathered which can be highly sensitive relating to high profile investigative activity. Weakening the mechanisms used to monitor any type of criminal activity, and specifically serious criminal activity would place the security of the country at an increased level of danger.

We must protect any information that would negatively impact on any operation or reveal our tactical capabilities. Public safety and effective law enforcement are of paramount importance to West Midlands Police and we will not divulge any information if to do so would place the safety of an individual at risk or undermine the prevention or detection of crime, thereby assisting those persons intent on committing crime.

Therefore, it is my opinion that at this time, it is not in the public interest to release the withheld information. West Midlands Police will not disclose information that could harm the public, or that could compromise the current or future law enforcement role of the force.