

9<sup>th</sup> December 2019

## **Freedom of Information Request – Reference No:20192798**

### **REQUEST**

***I would like to request information about South Yorkshire Police's response to being blamed for the arrest of three people on Rustlings Road, Sheffield. This was the tree felling operation, November 17th 2016. The arrests took place under the umbrella of Operation Testate, and was implemented as a dawn raid on Rustlings Road. I believe, the Yorkshire Post, published similar, on 29th June 2017.***

***I am making this request as part of an investigation to verify the truth about how SYP actually felt about being blamed for this, as part of an ongoing documentary into the trees conflict in Sheffield***

### **CLARIFICATION**

Please could you clarify the following point(s): -

As you may appreciate, Section 8 of the Freedom of Information Act applies to all recorded information a public authority may hold , and does not apply to 'explanation', 'general comment' or 'opinion', which forms the basis of this request. Do you have specific request for recorded information?

Under Section 16 of the Act – duty to provide advice and assistance, you may not be aware but much of the details of the Op Quito and Op Testate are on South Yorkshire Police Website. The following links may be of assistance to your research.

<https://www.southyorkshire.police.uk/find-out/right-to-information/categories-of-significant-interest/>

<https://www.southyorkshire.police.uk/find-out/accessing-information/request-information-under-the-freedom-of-information-act/>

### **FROM THE REQUESTER**

***The pdf's online only provide an explanation of Op Testate, for each month, effectively, a manual.***

***The specific request I have is to clarify exactly if SYP stated "they had been thrown under a bus" by Sheffield City Council as a result of SYP's participation in the Rustlings Road Operation on Nov 17th 2016. Are these the words that SYP used, as a reaction to much criticism of SYP's participation of this operation?***

### **RESPONSE**

Section 17 of the Freedom of Information Act 2000 requires South 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).

The exemption applicable to your request falls under Section 21.

**Section 21 *'Information which is reasonably accessible to the applicant'*.**

As advised on the clarification, Information regarding Op Testate and Op Quito is already freely available on South Yorkshire Police website.

<https://www.southyorkshire.police.uk/find-out/right-to-information/categories-of-significant-interest/>

Specifically the following link and Page 66 of the document published relates to this statement.

<https://www.southyorkshire.police.uk/find-out/right-to-information/categories-of-significant-interest/operation-testate-tree-felling-prior-to-jan-2018/operation-testate-tree-felling-pre-jan-18-tree-felling-emails/>

I appreciate that you are wanting specific details about Op Testate and this comment but the FOI act does not apply to 'explanation' or 'general comment' but to recorded information a public authority may hold.

If you are wanting commentary about Operations you may want to contact our Media Department.

Email: [Media@southyorks.pnn.police.uk](mailto:Media@southyorks.pnn.police.uk)