

16<sup>th</sup> June 2017

**Freedom of Information Request – Reference No:20170906**

**REQUEST**

*I would like to ask the following questions under the Freedom of Information Act.*

*How many response officers does your force have on duty between the hours of 3am and 7am on a Tuesday morning?*

*At which police stations are those officers based and how many are at each police station?*

**Further**

*Regarding my earlier FOI request this morning, if you require a specific time and date, please use between 3am and 7am on Tuesday, May 9, 2017.*

**RESPONSE**

I approached our HR department for assistance with your request. They provided all the information requested which, on review, I am unable to provide.

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 following exemption applies to the disclosure of the information:

**Section 31 (1) (a) (b) Law Enforcement** states that information is exempt information if its disclosure under the Act would, or would likely to prejudice:

- a) The prevention or detection of crime;
- b) The apprehension or prosecution of offenders.

This exemption is a qualified and prejudice based exemption and therefore the legislators accept that there may be harm if released. The authority has to consider and describe the harm that would occur if a full disclosure of information were released.

**HARM**

It is important to stress that when a disclosure is made under the Freedom of Information Act, it is a disclosure to the world and not to a single individual. In view of this, we may publish information released under the Freedom of Information Act on our website in order that any member of the public who may wish to view the information can have access to it.

Disclosure of information that details the operational effectiveness of the South Yorkshire Police may compromise the force. Those with criminal intent could use the information to determine the number of officers available for deployment at any one time at any location and make diversionary calls to frustrate the deployment of resources during the commission of crimes. This may lead to more crimes being committed which would impact on police resources and place individuals at risk.

## **Public Interest Test**

### Considerations favouring disclosure

- The public would have a better understanding how officers are deployed and located.
- A full release of information would show that SYP is proactive in its operational policing
- Disclosure would demonstrate SYPs commitment to transparency and openness

### Considerations favouring non-disclosure

- Police resources and the Force's ability to operate effectively and efficiently, would be affected as this information can be used by those with criminal intent to determine where officers may or may not be deployed at any one time.
- More crime would be committed by those individuals intent on committing offences which would impact of the force and the safety of members of the public.

I have carefully considered your request for information. The key test when considering the public interest is to establish whether in all the circumstances of the request the public interest in disclosing information is not outweighed by that in maintaining the exemption or exemptions.

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Although I am fully aware of the need for Public Authorities to demonstrate a level of openness and transparency, I am of the opinion that protecting our operational capability is a more compelling argument. South Yorkshire Police cannot risk compromising the ability of Officers to effectively carry out law enforcement and protect the public from those engaged in criminal activity.

Having weighed up both parts of the public interest test, I have decided on balance that it is not in the public interest to provide the data pertinent to your request.