

4th April 2018

Freedom of Information Request - Reference No: 20180371

REQUEST

On 23rd February 2018 Assistant Chief Constable David Hartley appeared on Radio Sheffield with Toby Foster. Regarding this appearance on the radio show, please provide the following:

1. A copy of the initial outreach communication record by either Radio Sheffield or SYP and the other parties response in organizing and co-ordinating this booking. Please then provide the rest of the communications records related to this appearance.

2. Please provide any records, documents and information supplied to Assistant Chief Constable David Hartley in preparation for the appearance on Radio Sheffield as listed in item 1 above;

3. Please provide a copy of any records between Assistant Chief Constable David Hartley, or any other relevant party that have fed information back to Assistant Chief Constable David Hartley regarding tree felling works with Amey and or Sheffield City Council from December 2017 through to the present (at minimum 24th February).

Additionally, regarding the release of a statement published by Assistant Chief Constable David Hartley on the SYP website and facebook:

In the opening paragraph the statement reads as:

"Following the announcement from Amey Plc that tree felling in Sheffield will begin in the coming days, Assistant Chief Constable David Hartley explains why there will be a higher level of police presence at the sites."

4. Please provide the date and any records from Amey or Sheffield City Council where SYP were informed "tree felling in Sheffield will begin in the coming days"

"and maintain our approach of meeting all parties involved to explain our role and thresholds for action."

5. In response to FOI 20180109 SYP police stated there had been one non-minuted meeting between SYP and or Amey to discuss the removal of protestors by force. Please provide dates of ALL meetings between SYP and Amey and or Sheffield City Council. Between December 2017 through to the present (at minimum 24th February).

6. Any and all agendas and records for any meetings between SYP and Amey and or Sheffield City Council as listed in item 5 above;

6.1 Any and all notes and records from any meetings between SYP and Amey and or Sheffield City Council as listed in item 5 above;

6.2 Any and all presentations and records distributed, displayed, and/or otherwise disseminated between SYP and Amey and or Sheffield City Council as listed in item 5 above;

6.3 Any and all feedback as a record from those in attendance on behalf of SYP to any other staff member within SYP as listed in item 5 above.

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).

Section 22 (1) (a) (b) - Information Intended for Future Publication

PUBLIC INTEREST CONSIDERATIONS

Information is exempt under S22(1)(a)(b) if the information is held by the Public Authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not). This is a class-based exemption and requires me to conduct a public interest test.

Considerations favouring disclosure

- Where public funds are being spent in respects to policing operations, there is public interest in transparency and justification.
- Disclosure would be seen as embracing an ethos of openness and accountability.
- Disclosure would provide information necessary for public comment and debate to take place in 'real-time'.

Considerations favouring non-disclosure

- The public will benefit from all of the facts being available at the same time, meaning the information will be in context, and more comprehensive.
- To release information in a piecemeal manner, will also cause disruption to the organisation by placing unwarranted stress on resources, both in terms of finance and manpower.
- Full disclosure now would disrupt the Publication Strategy, which is intended to provide the public with an accurate and comprehensive insight. Piecemeal disclosures may in damage the process and affect the strategic aims of the operation.

Balancing test

In balancing these factors, it is important to state that the publication strategy for Operation Quito was drafted prior to the date of the above request made to SYP.

The strategy states that Communications, Strategy & Policy, Decision Making, Finances, Staffing, Complaints etc will be provided at a date when all proceedings relating to the operation have been determined as been completed or figures finalised.

"In the Commissioner's view, in order to engage section 22, a public authority must be able to show clearly which information within the scope of a request it intends to publish"

http://ico.org.uk/~media/documents/decisionnotices/2014/fs_50532986.ashx

It would not be beneficial at this stage to allocate resources to endeavour to collate answers to the above questions when the information is intended to be collated again in the future.

Therefore, at this time the balance lies firmly in waiting for when it is deemed appropriate to release figures that can be determined to be accurate and complete, as per the publication strategy.

The information you request falls within the scope of South Yorkshire Police's Publication Strategy. Please see the following link to the Publication Strategy for Operation Quito:

<https://www.southyorkshire.police.uk/find-out/right-to-information/foi/op-quito-publication-strategy/>