



## Operation Pepperberry/Operation Greenbank Publication Strategy

Merseyside Police has produced the below Publication Strategy in anticipation of a substantial number of requests for information under the Freedom of Information Act 2000 relating to Operation Pepperberry/Operation Greenbank (disorder in Merseyside starting Monday 29<sup>th</sup> July 2024). The strategy aims to provide a transparent approach to FOI requests, detailing the information the Force intends to publish. Producing such a strategy will assist the Force and the public in ensuring timely and transparent responses to all requests.

The publication strategy sets out the process as to how information relating to the Operations will be proactively published and the timescales involved, which will enable the Force (when appropriate) to engage the [Section 22 provision](#) within the FOI Act. This exemption states that information which is intended for future publication does not need to be disclosed at the time - the decision to publish must have been made prior to any request for the information being received, however a fixed publication date is not required; we therefore set out below an intention to disclose the stated information prior to the deadline of **11<sup>th</sup> October 2024**.

The identified benefits of engaging this exemption are that dealing with requests for certain data whilst the operation is ongoing can be complex and resource intensive. Furthermore, random piecemeal disclosures may in fact damage the strategic aims of the operation, affect public confidence, and prejudice any related investigations. There will also be an appetite from the media to gain exclusive knowledge and data, via FOI, which enables them to undermine the media strategy and even potentially disrupt the operation.

Individual FOI requests will be reviewed at the point of receipt to assess if there is a clear and significant public interest in responding earlier than the planned publication deadline. Alternatively, where appropriate, the applicant will be signposted to the publication strategy and no further information will be provided at that stage, unless there is a clear public interest in doing so. This document will be reviewed and approved by Chief Officers, then revised and amended in favour of earlier disclosure, where possible.

### The Public Interest Test

The Force recognises that events may change, and the balance of 'the public interest test' may well favour earlier disclosure at some point in the future. There may also be other exemptions that apply to the information in question, depending on:

- (a) the content of any request, and
- (b) the time at which it is submitted.

The below sets out our present view in relation to the public interest, both for and against disclosure.

Public interest factors favouring disclosure	Public interest factors against disclosure
<p>We are publicly funded, and the Force has a duty to be accountable regarding how those public funds are used. Disclosure of relevant information, such as police activity and arrests, would reassure the public, giving insight into decision making operational processes, and would promote openness and transparency.</p>	<p>Disclosures of information under the FOIA must be specific to what has been requested by an applicant. There is no requirement under the Act to provide context, comment or opinion and there is no requirement to consider the rapidly changing nature of disclosed information. In the context of the Operations, ad hoc and premature disclosures of information via an FOIA application could be taken out of context. This may result in damage to public confidence, which could hinder our work and undermine public confidence.</p> <p>Furthermore, any data provided in response to an FOI request is data as held at the time of the request, so in a raw unaudited form. Whilst such a disclosure will meet the Force’s statutory obligation, no audit will have been conducted to ensure the accuracy and completeness of said data. It is not in the public interest to disclose inaccurate or under-reported data, nor can such data be used in a comparative manner over a longer term (whether with historic data for this Force or with other Forces).</p> <p>It is also not in the public interest to divert police resources to retrieve and audit such information on a case-by-case basis which will be prepared for publication in the normal course of events.</p> <p>The premature disclosure of certain information into the public domain, for example that relating to operational strategies or resource allocations, would have a negative impact on staff morale and well-being, as well as operational capacity, resilience, and strengths. The Force has a duty of care to its staff and officers, and care must be taken not to cause any avoidable harm or place them at increased risk through the disclosure of sensitive information sought via FOI.</p> <p>Great consideration must be given to any disclosure relating to ongoing criminal investigations, to ensure that there is no prejudice to the ongoing enquiries or any subsequent judicial trial.</p> <p>The publication of information will be prepared at some expense to the force (in terms of time); spending additional public funds (in terms of responding to individual FOI requests) would be wasteful.</p>

## Overview of Publication Strategy

The list below is not exhaustive:

Category	Types of Information	Publication Strategy
Communications	Press/media releases	Such communications will be released on an ongoing basis – standard media strategies and considerations apply. <a href="#">News   Merseyside Police</a>
	Other outside agencies	Information will not be released while the operation is ongoing.  When the operation, including any related activity, is fully complete, <u>consideration</u> will be given to releasing information listed subject to any relevant exemptions under the Freedom of Information Act 2000 and consulting with relevant third parties as necessary
Strategy and Policy	Communication/Media Strategies Operational strategies	
Decision Making	Gold/Silver Group Minutes Minutes of joint strategy meetings Policing plans	
Finance	Costings, including but not limited to;  The total of the additional cost to Merseyside Police i.e., not included in standard time  Additional staffing hours, wages, cancelled rest days, mutual aid etc.  Costs of repairing/placing damaged equipment	Merseyside Police recognise the understandable public interest regarding how much in terms of police resources, and by extension, public funds, will be spent during the Operations in response to the disorder.
	Any travelling/accommodation costs Budget and overspend/under spend	Many actual costs will not be known until after the operation is complete, and all invoices/claims have been received and accounting has been completed. Please note that a figure for 'standard time'

		worked by all Officers/Staff engaged on the Operations, will not be held by the Force and to produce this would be excessive and impracticable.
Staffing	<p>Number and position within the organisation that worked on the Operations</p> <p>Number of staff/officer sick days because of a related injury etc.</p>	Merseyside Police recognise the understandable public interest as regards how much in terms of police resources will be expended during the Operations. Again, this figure cannot be provided until the operation is complete as numbers will change and to produce this would be excessive and impracticable; given the fast-moving nature of the operation.
Operational Activity	<p>Statistics, including but not limited to:</p> <p>The number of incidents recorded relating to the Operations, the number and nature of arrests related to the event, crime statistics such as hate crime or alcohol-related crime, etc.</p>	Such information, where it has been identified and recorded by the force will be published as part of the debrief Report (see below). All disclosure to be made subject to any relevant exemptions under the Freedom of Information Act 2000 and consulting with relevant third parties, as necessary.
Outcome/Review	Public facing debrief report	Matters relevant to specific policing issues and sensitive strategic matters will not appear within any publicly circulated review document until proceedings are fully complete.
Professional Standards	Number of complaints, reason, outcome etc.	<p>Merseyside Police are committed to being open and accountable.</p> <p>Experience has shown that Police Forces are likely to receive complaints during such operations.</p> <p>The information is intended for future publication once any such claims have been investigated.</p>