



Altogether Better Policing

Information Rights and Disclosure
Digital Data and Technology Command
Police Headquarters
Aykley Heads
Durham
County Durham
DH1 5TT

Web Site: www.durham.police.uk
E-mail: freedomofinformation@durham.police.uk
Phone: 0191 3752582



**Request to Durham Constabulary under the Freedom of Information Act
Received on 25/04/2022 Our Ref: FOI/355/22**

Date: 20/05/2022

Your request:

Can you please tell me when the decision was taken to investigate beer gate. And if there was a delay in informing the public.

Response:

Durham constabulary, at this point, is exempting the disclosure of this information by virtue of the following exemptions.

Section 30 (1) Investigations

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Section 30 (1) is a class based exemption, this exemption requires me to perform a Public Interest Test and describe harm that could be caused if the constabulary was to disclose this information at this point:

Harm

Please follow below link to access Durham Constabulary's (The Force's) press statement issued on the 6th May 2022 regarding the confirmation of the commencement of an investigation:

<https://www.durham.police.uk/News/News-Articles/2022/May/Durham-Constabulary-Press-Statement.aspx#:~:text=Durham%20Constabulary%20Press%20Statement%20Posted%20on%20Friday%206.gathering%20in%20Durham%20City%20on%20April%2030%202021.>

At this point this is currently on ongoing investigation, and even to disclose information that appears innocuous whilst that investigation is ongoing could hinder an investigation whilst it is ongoing

Public interest in favour of disclosing the requested information:



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It is acknowledged there is a public interest in this investigation.

Investigations are funded with public money.

The public are entitled to know that Durham Constabulary is conducting investigations in an effective manner.

Public interest in favour of non-disclosure of the requested information:

This investigation is currently ongoing, to disclose **any** information affect and possibly undermine that investigation.

The greater public interest is that police investigations should be allowed to continue unaffected and unhindered by any release of information whilst that investigation is ongoing.

Balancing Test

As this is currently an active / open investigation, the public interest balance has fallen in favour of not releasing the requested information at this time.

An ongoing investigation must be allowed to continue unhindered.

CONCLUSION

This Section 17 (1) FOI Refusal Notice is being issued at this time.

Please note that Durham Constabulary's response to your request is unique and should not be used as a comparison with any other Force response you receive.

COMPLAINT RIGHTS

Your attention is drawn to the below link to our website, which details your right to complain:

[Freedom of Information Requests \(contensis.com\)](http://www.durham.police.uk/contensis)

If you have any further enquiries concerning this matter, please write or contact me on the above telephone number.

I hope this is of assistance to you.

Yours sincerely
Freedom of Information Decision Maker
Information Rights and Disclosure Unit