

15 January 2018

Freedom of Information Request - Reference No: 20172289

REQUEST

Please could you provide a list of all officers who have died between January 1 2002 and 1 December 2017, both on and off duty, while working for your force alongside the cause of death.

Could it be made clear where an officer has died on or off duty as well and the year in which they died?

Could this information be provided in spreadsheet format please?

RESPONSE

I approached our HR Department for assistance with your request. An HR Officer has reviewed the systems and has provided me with details relating to your request, however, I am not prepared to disclose this information to you in full.

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 38 (1)(a) – Health & Safety

This exemption require the Public Authority to articulate both the Harm and the Public Interest Test

Section 38 - Harm

Your request specifically requests a 'list' of all officers who have died either on or off duty between 2002 and 2017 . I have taken this to mean a list of named officers who have died during this period together with the cause of death. Whilst I recognise that the Data Protection Act does not provide exemptions for the personal details of individuals following death, I do feel that consideration should be given to the friends and families of the deceased.

A freedom of Information request is not just a release to the individual asking for information, but also to the world as well via the potential publishing of such a response on a forces disclosure log. Of each case returned, I have searched for any information already in the public domain that contains details of the deceased. Of the 33 records returned, 3 of them can be cross referenced to articles published on the internet. Therefore, this information can be considered freely available at any time, and weakens the arguments for exempting the names of the deceased through a Freedom of Information response.

Section 38 of the Freedom of Information Act, excludes information that is likely to “endanger the physical or mental health, of an individual”. By releasing deceased officers’ names into the public domain may awaken fresh memories of a loved one causing unknown distress and upset.

Public Interest Test

Section 38 – factors favoring disclosure

- The evidence provided does not reveal a significant risk to the physical or mental health of the family of the individual.

Section 38 – factors favoring non disclosure

- The potential mental harm to family members instigated by such a response has to be fully considered. The names of the officers are not presently in the public domain, and any fresh public/media attention may cause distress and upset.
- Loss of confidence in the public authority in protecting sensitive information

Section 38 Balancing Test

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.

As discussed in the harm section of this request, information regarding the names of the deceased officers are already in the public domain and can be researched at any time by people with an interest around this subject matter. However, for the remaining records, it may be that there is a specific reason of why the details are not publicly available, and by providing the details, any further media interest may cause unnecessary upset.

Therefore, at this time, the public interest favours non-disclosure of the names of deceased officers not already in the public domain and this element of your request has therefore been withheld.

Disclosure

Our HR Officer has advised that the electronic recording system does not provide a specific reason or details relating to the cause of an officer’s death. Within the ‘Reason for Leaving’ field it is simply recorded as ‘deceased’, ‘died in service’ / ‘died on duty’.

I am therefore able to disclose the following data extracts (officers have been named if the details surrounding their death are already in the public domain (as explained above).

Officer Details	Year	Leaving Reason
Officer	2002	Deceased
Officer	2002	Deceased
PC Andrew Jackson	2003	Died on Duty
Officer	2004	Deceased
Officer	2005	Deceased
Officer	2005	Deceased

Officer	2005	Deceased
Officer	2006	Deceased
Officer	2006	Deceased
Officer	2006	Deceased
Officer	2006	Deceased
Officer	2008	Deceased
Officer	2008	Died in Service
Officer	2008	Deceased
Officer	2008	Deceased
PC Glen Howe	2008	Died on Duty
Officer	2008	Deceased
Officer	2009	Deceased
Officer	2009	Deceased
Officer	2009	Deceased
Officer	2010	Deceased
Officer	2010	Deceased
Officer	2011	Deceased
Officer	2011	Deceased
Officer	2013	Deceased
Officer	2015	Deceased
Officer	2015	Deceased
Officer	2016	Deceased
Officer	2016	Deceased
Officer	2017	Deceased
Officer	2017	Deceased
Officer	2017	Deceased
PC David Fields	2017	Deceased