

Freedom of Information Act 2000 (Section 50)

Decision Notice

Date: 21 December 2010

Public Authority: The London Borough of Camden
Address: Camden Town Hall
Judd Street
London
WC1H 9JE

Summary

The complainant requested the address of every empty residential property in the London Borough of Camden in which a “non-individual” is listed as either being the owner or as having a material interest in the property. The London Borough of Camden (“the Council”) refused to provide the information, citing the exemption under section 43(2) of the Freedom of Information Act 2000 (“the FOIA”). In its internal review, the Council also sought to withhold the information using section 12(1) and 21(1). During the Information Commissioner’s (“the Commissioner”) investigation, the Council withdrew its previous reliance on all three exemptions and it sought to withhold the information using section 31(1)(a) instead. The Commissioner decided that section 31(1)(a) was engaged and he accepts that the public interest in maintaining the exemption outweighs the public interest in disclosure. The Commissioner also found breaches of section 17(1) and 17(1)(a)(b) and (c). He requires no steps to be taken.

The Commissioner’s Role

1. The Commissioner’s duty is to decide whether a request for information made to a public authority has been dealt with in accordance with the requirements of Part 1 of the FOIA. This Notice sets out his decision.

The Request

2. On 25 August 2009, the complainant wrote to the Council requesting information in the following terms:

"I would like to know the address of every void property in the LB Camden, in which a non-individual is listed as either being the owner or as having a material interest in the property".

3. On 28 August 2009, the Council replied to the complainant asking for clarification in the following terms:

"Please could you confirm if this request concerns residential properties only?"

4. The complainant replied on the same day, confirming that his request did only concern residential properties.

5. On 22 September 2009, the Council issued a refusal notice citing the exemption under section 43(2) of the FOIA. It stated that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

6. On 26 September 2009, the complainant wrote to the Council to ask it to conduct an internal review. He explained that he did not accept that the information had been correctly withheld.

7. The Council provided a copy of its internal review decision to the complainant on 3 November 2009. It explained that it had decided to uphold its refusal using the exemption under section 43(2). It also added that it felt that the exemptions under section 12(1) and 21(1) were also engaged.

The Investigation

Scope of the case

8. On 16 March 2010, the complainant contacted the Commissioner to complain about the way his request for information had been handled. The complainant specifically asked the Commissioner to consider complaints relating to the Council's application of the exemptions under section 12(1), 21(1) and 43(2). As these exemptions were subsequently withdrawn, the Commissioner has not considered

complaints relating to the use of these exemptions although he has made some comments in the Other Matters section of this Notice regarding the complainant's more general concerns about the quality of the Council's responses. As the complainant considered that the public interest in maintaining the exemption under section 31(1)(a) did not outweigh the public interest in disclosure, the Commissioner went on to consider whether the Council had correctly withheld the information using the exemption under section 31(1)(a).

Chronology

9. On 5 May 2010, the Commissioner sent a standard letter to the Council seeking further information to assist with his investigation.
10. On 27 May 2010, the Council replied and supplied further supporting information.
11. On 15 July 2010, the Commissioner wrote to the complainant to set out his understanding of the request and the complaint.
12. The complainant replied to the Commissioner on the same day stating that he accepted that the Commissioner had accurately described the request and complaint, although he did provide slight clarification in relation to one point.
13. On 20 July 2010, the Commissioner wrote to the Council to ask for more information about the Council's reasons for relying on the exemptions it had applied.
14. The Council responded to the Commissioner on 19 August 2010.
15. On 31 August 2010, the Commissioner sought some clarification and further information from the Council via a telephone conversation.
16. On 1 September 2010, the Commissioner wrote to the complainant seeking clarification from him regarding the terms in his request.
17. On 2 September 2010, the complainant wrote and provided clarification. In particular, he explained that his use of the word "void" was the result of previous correspondence with the Council regarding requests for information where the Council had indicated that this phrase would better describe properties that may only be without occupants for a period of time as opposed to being without permanent occupants, such as properties that are available for re-housing applicants to bid upon. He also explained that his use of the phrase "material interest" also related to a previous request he had made to

the Council where the Council had stated that housing associations are registered as having a material interest in properties on its records. Finally, when asked to explain what was meant by “non-individual”, the complainant stated that this had the same meaning as in the case of *the London Borough of Bexley v Mr Colin P England and the Information Commissioner* (EA/2006/0060 and 0066) heard before the Information Tribunal.

18. On 6 September 2010, the Commissioner wrote to the Council and indicated that he had not been persuaded that the exemptions had been correctly relied upon.
19. On 8 September 2010, the Council sent an email to the Commissioner taking issue with the way in which the Commissioner had interpreted the request. It stated that the Commissioner had said in his letter that the request related only to residential properties. It said it would be responding in line with its own interpretation of the request, which was that it did not cover residential properties.
20. The Commissioner telephoned the Council on the same day as he received the email. He pointed out that the Commissioner had not formed his own view on the interpretation of the request. Rather, he had based it on email evidence showing that the Council itself contacted the complainant and asked him whether his request concerned residential properties only. The complainant subsequently replied that it did. The Council was unable to locate the relevant correspondence in its records over the telephone, and it became apparent that from the internal review onwards, the Council had failed to take into account the additional clarification provided by the complainant. The Council accepted that it would need to reconsider its response to the request from the date of the internal review onwards.
21. The Council sent a further response to the Commissioner on 30 September 2010. The Council stated that it wished to withdraw its reliance on all three of the previous exemptions it had applied. It then added that it wished to rely on section 31(1)(a) instead and it supplied rationale.
22. On 21 October 2010, the Commissioner wrote to the complainant advising him that the Council’s position had now changed and it was seeking to rely on section 31(1)(a) only. This prompted the complainant to submit some further comments in respect of the public interest test.
23. On the same day, the Commissioner telephoned the Council to seek some clarification regarding a particular point. This was provided.

Analysis

Exemption – Section 31(1)(a)

24. Section 31(1) states that:

“Information which is not exempt information by virtue of Section 30 [information held for the purposes of investigations and proceedings conducted by public authorities] is exempt information if its disclosure under this Act would or would be likely to prejudice

(a) the prevention or detection of crime

25. The Commissioner notes that this exemption was applied late by the Council. For clarity, where a public authority has not referred to a particular exemption when refusing a request for information, the Commissioner may exercise his discretion and decide whether, in the circumstances of the case, it is appropriate to take the exemption into account if it is raised in the course of his investigation. The Commissioner will be pragmatic, taking into consideration the potential risks associated with disclosure of the information in question. In view of the nature of the information in this case, the Commissioner considered that it was appropriate to consider the exemption.

Would disclosure be likely to prejudice the prevention and detection of crime?

26. In *Hogan v the ICO and Oxford City Council* (EA/2005/0026 and EA/2005/0030), the Information Tribunal stated that “The application of the “prejudice” test should be considered as involving a number of steps. First, there is a need to identify the applicable interest(s) within the relevant exemption...Second, the nature of the ‘prejudice’ being claimed must be considered...A third step for the decision-making concerns the likelihood of occurrence of the prejudice” (paragraphs 28 to 34).

27. The relevant applicable interest in this exemption is the prevention or detection of crime and the Commissioner accepts that the arguments made by the public authority directly address this prejudice.

28. When considering the second and third steps as set out in the Hogan case, the Commissioner must be persuaded that the nature of the prejudice that has been argued is “real, actual or of substance” and not trivial or insignificant. He must also be satisfied that some causal relationship exists between the potential disclosure and the stated

prejudice. The Commissioner must also be satisfied that that the disclosure would be likely to prejudice the prevention or detection of crime. This means that there must be a “real and significant risk” of prejudice although the risk need not be more probable than not.

29. The nature of the prejudice argued by the public authority is that, if a list of the addresses of empty properties were to be disclosed then these properties would become more vulnerable to potential squatters and associated crime. The Council explained that it had come to its attention that the complainant was a known squatter who has contributed to a number of squatting publications. It explained that he had been evicted in the past from properties within the London Borough of Camden for squatting in them and it believed this was evidence that the information would be used by squatters.
30. For clarity, it has been established that the FOIA is “applicant-blind”, that is to say that a public authority cannot take into account when refusing a request what the motivation of a requester is. The Commissioner has therefore disregarded the Council’s specific knowledge of the possible motivation behind the request in this case.
31. The Council provided very limited arguments to the Commissioner in support of the exemption, and those that it did provide mainly focused incorrectly on its knowledge of the requester. Nevertheless, the Commissioner and the Information Tribunal have considered requests for similar information before and the Commissioner believes that it is appropriate to consider these outcomes as part of this decision.
32. The Commissioner has had particular regard to the case of *the London Borough of Bexley v Mr Colin P England and the Information Commissioner* (EA/2006/0060 and 0066). In this case, the requester had asked for the addresses of vacant, empty or abandoned properties that had been listed as “long term empty” and “uninhabitable properties”. The information had been withheld using the exemption under section 31(1)(a). In summary, the Tribunal accepted that the second and third tests set out in paragraph 28 of this Notice were satisfied based on the following facts:
 - The Tribunal accepted evidence that empty properties are associated with criminal activity from organised local gangs. In particular, the Tribunal in paragraph 41 identified occasions of organised “stripping” of empty properties. This was the removal of all things of value (such as pipes and floor boards) leaving an empty and uninhabitable shell property.

- The Tribunal also accepted evidence that while squatting is not a crime in itself, it is associated with criminal activity. The Tribunal identified a number of instances in the evidence it heard between paragraphs 48 and 57.
 - The Tribunal accepted that the disclosure of the list of properties would be of use to squatters and would be likely to lead to significant harm in the form of criminal activity (paragraph 63)
 - Based on the evidence it heard, the Tribunal considered that disclosure of the information would be likely to have a significant negative impact on the prevention of crime (paragraph 63)
33. The Commissioner also considered a case involving the London Borough of Tower Hamlets and a request for similar information earlier this year under reference FS50259951. In this case, the requester had asked for the details of both council and non council empty homes in Tower Hamlets, including the addresses. The Commissioner relied to a significant extent on the findings in the *Bexley* case to support his finding that the exemption under section 31(1)(a) was engaged in this case. He also took into account the following evidence received from the London Borough of Tower Hamlets on the issue:
- The Council explained that in the opinion of its Empty Homes Officer, disclosure of the information would be likely to have an adverse impact because it would increase associated crime, which emanates from squatting.
 - The Council pointed to a series of incidents that occurred subsequent to the publicising of a compulsory order and it also provided examples of fires, criminal damage, stripping of fixtures from properties and anti-social behaviour relating to empty properties that have been squatted in within its area.
34. For the reasons set out above, the Commissioner accepts that the exemption under section 31(1)(a) was engaged. He has therefore gone on to consider the application of the public interest test associated with this exemption.

Public interest arguments in favour of disclosing the requested information

35. As the exemption under section 31(1)(a) is a qualified exemption, it is subject to a public interest test. In accordance with that test, the Commissioner must consider whether the public interest in maintaining

the exemption outweighs the public interest in disclosure of the information in all the circumstances of the case.

36. The Council identified the following public interest in disclosure:

- Releasing the information would assist the general public interest in openness, an important aspect of which includes increasing public debate concerning the number of empty or void properties within the London Borough of Camden.

37. The complainant also specifically presented a number of arguments in favour of disclosure to the Commissioner which the Commissioner has summarised below:

- Disclosure of the information would be in the financial and commercial interests of the public because it would increase the chances that these buildings will be brought back into use, either directly or indirectly by putting them into the limelight or by pushing the owners to use them to avoid squatting. This in turn would increase the value of neighbouring properties as it has been shown that empty buildings lower the price of neighbouring buildings by up to 10%.
- The information could be used by those with an interest in empty properties, and their rehabilitation. These would include English Heritage, the Empty Homes Agency, Urban Explorers, architects, photographers, public transparency campaigners, people concerned with how public money is used and homeless people. This amounts to a considerable amount of people with a legitimate interest in empty buildings and their addresses.
- Disclosure could also help academic and policy-orientated research which in turn would place more emphasis on empty property as a social problem and promote public debate.
- There is a public interest in public authorities being accountable and transparent. The complainant referred in particular to accountability concerning how the Council is using its resources and decisions affecting people's lives such as the Council's action or inaction regarding individual properties.
- The Council has previously released lists of empty properties, both commercial and domestic.

38. Additionally, the complainant asked the Commissioner to have regard to the points made in favour of disclosure under the public interest test in the *Bexley* case. The Commissioner considered this case and was

broadly content that the bullet points above summarise the main points raised in the *Bexley* case. The complainant also asked the Commissioner to consider the points made in favour of disclosure of similar information in an earlier case that he had submitted to the Commissioner. The Commissioner was satisfied that these points are also adequately summarised above.

Public interest arguments in favour of maintaining the exemption

39. The Council identified the following public interest arguments in favour of maintaining the exemption:

- Releasing this information would make it possible for crimes to be committed, as entry would need to be forced to gain access to the property.
- The residents that are in the properties in close proximity would also be under threat due to the fact that a crime is being committed so close to them and they have an expectation to feel secure in the environment that they live in.

Balance of the public interest arguments

40. The Commissioner recognises that there is always some public interest in the disclosure of information. Disclosure of information serves the general public interest in promotion of better government through transparency, accountability, public debate, better public understanding of decisions, and informed and meaningful participation of the public democratic process.

41. In considering the public interest in favour of disclosure, the Commissioner found some of the background details in the *Bexley* case helpful in setting this request in context. In paragraph 15 of the case, the Information Tribunal explained the following:

"The policy of the Government is to bring empty properties back into use and local authorities, such as the Council, are required to collect information about their performance in returning vacant dwellings to occupation (Best Value Performance Indicators 2005/2006 published February 2005 by the office of the Deputy Prime Minister. In the ministerial foreword to "Empty Property: Unlocking the potential: A case for Action" published by the office of the Deputy Prime Minister in 2003 it states:

'We recognise that each empty property is a wasted resource from the point of view of the owner, a wasted opportunity from the point of view

of a developer and a wasted asset from the point of view of local authorities charged with bringing forward sufficient land and housing to meet projected housing needs'.”

42. Against this background, it is clear that there is a significant and wide-ranging public interest in bringing empty properties back into use. The Commissioner is aware that this is particularly the case in London where affordable housing is scarce. The Commissioner considered the argument that disclosure of the addresses could help bring empty properties back into use. Where a property is brought back into use, this would have a number of beneficial effects in the public interest such as:

- Reducing the wasted costs to the owners and wasted opportunities to developers
- The housing needs of some individuals would be met
- The costs to the public authority of funding alternative or temporary accommodation would be reduced and the cost of council tax discounts for empty properties would fall
- The crime associated with empty properties and squatting would be likely to fall
- The 'broken window syndrome' by which areas go into decline, affecting living standards and property prices, would be likely to be reduced (further explanation of the 'broken window syndrome' can be found in the *Bexley* case).

43. The Commissioner accepts, and applies to this case, the finding of the Tribunal in the *Bexley* case at paragraph 80 where the Tribunal stated:

“From the evidence before us, in particular the evidence of Mr Ireland [Chief Executive of the Empty Homes Agency], it does seem possible that disclosure of this list would result in a proportion of the properties coming back into use”.

44. The Commissioner considers that the public interest in bringing houses back into use is a strong argument. He accepts the opinion of Mr Ireland as summarised at paragraph 71 of the *Bexley* case that, “the most direct and effective way of reducing the economic and social problems caused by empty properties and, in particular reducing the incidences of criminal activity associated with empty properties is to bring those properties back into use”. He also accepts the points made by the complainant that there is a significant number of organisations and individuals that could be able to put the information to a legitimate and positive use and that this, and the very fact of the disclosure in itself, could place more emphasis on the issue as a social problem. He also appreciates, as suggested in the *Bexley* case, that disclosure

might help owners “define potential building users who had not been able to reach them before” (paragraph 70) or spur them on to action.

45. Regarding the above, the Commissioner notes that the Tribunal’s finding only accepted a possibility of a proportion of the properties on the list being brought back into use as a result of the disclosure of the information. Although the Commissioner would still afford significant weight to this possibility because of the benefits that it would bring as described above, he has given it less weight than he would have done if there had been more evidence that a majority of the properties would be brought back to use. He also notes that at paragraph 82 of its decision, the Tribunal commented that it did not believe that disclosure of the addresses would add much in terms of furthering the already active public debate on this issue. The Tribunal also expressed concern that disclosure of a list of addresses would not take into account the varying reasons why a property may be empty. The Commissioner shares these concerns, particularly in view of the fact that in the present case the request is not limited to properties that have been empty for longer periods of time as in the *Bexley* case.
46. For the reasons above, the Commissioner accepts that the public authority’s responsibilities with regard to housing in the area are very important and in view of this, he accepts that there is a corresponding need for as much transparency and accountability as possible in this area. The Commissioner accepts the points raised by the complainant that decisions made relating to empty houses can affect the lives of people living in the area because of the association of empty properties with social decline and crime. He accepts that disclosure would make the authority more accountable regarding its action or inaction for individual empty properties, drawing greater attention to how it is using its resources.
47. In reaching the conclusion in the paragraph above, the Commissioner did consider that there may be more proportionate means of achieving a similar outcome, for example, by releasing management information and statistics regarding the performance of the public authority. Nevertheless, the Commissioner appreciates that the public interest in transparency and accountability could not be fully addressed through the disclosure of other, related, information.
48. The Commissioner also considered that the Council is subject to audit and there is a system for measuring its activity in relation to empty houses. The Government has set up a process which emphasises cooperation with owners and has within its system some measurement of Local Authority Performance. The Commissioner’s view is that disclosure under the FOIA should be regarded as a means of

supporting the other mechanisms of scrutiny, for example, by providing a flow of information which a free press could use. He does not therefore consider that the public interest in accountability is reduced significantly just because another regulatory mechanism exists.

49. Regarding the point made by the complainant that the Council had already disclosed the same or similar information in the past, the Commissioner has attached no weight to this. The fact that the Council may have taken this decision in the past does not prevent it from relying on an exemption in the current case, and it does not affect the issue of whether or not it was correct to do so.
50. Turning now to the arguments in favour of maintaining the exemption, the Commissioner recognises that there is an inherently strong public interest in avoiding likely prejudice to the prevention of crime. The crime in this case would be likely to include a diverse range from anti-social behaviour, criminal damage, arson and organised groups stripping empty properties. The Commissioner accepts that tackling issues like these would involve significant public expense. It is in the public interest to protect property and to ensure that public resources are used efficiently. He also accepts that there is a compelling public interest in avoiding personal distress to the direct victims of the crime and to those in the wider neighbourhood who may be affected. The Commissioner considers that once an area is subject to crime, it has an impact on the surrounding neighbourhood, reducing the value of neighbouring properties and the quality of life of the residents.
51. In view of the above, the Commissioner considers that there are weighty public interest arguments on both sides in this case. He notes that in the *Bexley* case, the Tribunal concluded that where properties were owned by individuals, the public interest would favour maintaining the exemption, but where the properties were owned by those other than individuals, the public interest would favour disclosure. The Tribunal explained these different outcomes at paragraph 86 of its decision as follows:

"This is because the impact of crime on an individual is not present [where properties are not owned by individuals] and this inherent aspect of the public interest in preventing crime is therefore absent and changes the analysis of the balance".
52. Respectfully, the Commissioner has reached a different conclusion on the facts in this case. In the Commissioner's view, whilst the direct impact on individuals who own properties might not be present for properties owned by organisations, this does not mean that the impact

of crime on individuals is completely absent. The Commissioner accepts that crime associated with empty properties can have a substantial detrimental impact upon those individual residents who live in neighbouring properties or in the wider community. It is arguable that the impact on individuals for instance living next door to an empty property attracting crime could in some ways be greater than the impact on the individuals that own the property but who are not in residence.

53. The Commissioner considers that there is a substantial public interest in bringing empty properties back into use, which may be met to some extent by the disclosure of the information. However, he has to weigh the benefits of this potential longer-term effect, together with the public interest in transparency and accountability, against the more immediate likely prejudice to the prevention of crime and the distressing effect of this on both individuals and other organisations. The Commissioner's decision in this case is that the public interest in avoiding prejudice to the prevention of crime outweighs the public interest in disclosure in all the circumstances of this case.

Procedural Requirements

54. The Council did not claim the exemption under section 31(1)(a) until during the Commissioner's investigation. It therefore breached section 17(1) for the failure to issue a refusal notice citing the exemption under section 31(1)(a) within 20 working days and section 17(1)(a)(b) and (c) for the failure to rely on the exemption by the date of its internal review.

The Decision

55. The Commissioner's decision is that the public authority dealt with the following elements of the request in accordance with the requirements of the FOIA:
- It correctly relied on the exemption under section 31(1)(a) to withhold the information and it correctly determined that in all the circumstance of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.
56. However, the Commissioner has also decided that the following elements of the request were not dealt with in accordance with the FOIA:
- It breached section 17(1) and 17(1)(a)(b) and (c) of the FOIA because of its failure to rely on the exemption under section 31(1)(a) until during the Commissioner's investigation.

Steps Required

57. The Commissioner requires no steps to be taken.

Other matters

58. Although they do not form part of this Decision Notice the Commissioner wishes to highlight the following matters of concern:

Records management

59. The Commissioner was concerned to note that when asked, the Council was unable to locate the email of clarification that was provided to it by the complainant regarding the request. It is also apparent that it failed to take this correspondence into account following on from its original response and this resulted in its internal review and some of its subsequent correspondence to the Commissioner being based on an incorrect understanding of the request. The Commissioner was concerned that this may be indicative of records management issues at the Council and he trusts that the Council will carefully consider this and make appropriate improvements in the future. The Council should also have regard for the code of practice issued under section 46 of the

Act, which provides recommendations in respect of records management and is published online at the following address:

<http://www.justice.gov.uk/guidance/foi-guidance-codes-practice.htm>

Late reliance on exemption and quality of responses

60. The application of an alternative exemption at a late stage may suggest the initial refusal or internal review (or possibly both) was not afforded appropriate consideration. The Commissioner also noted that when the Council refused the request under section 31(1)(a), the refusal was not, in the Commissioner's view, of sufficient quality. The Commissioner also noted that the complainant had raised some concerns regarding the quality and thoroughness of the Council's refusals and internal reviews. In particular, he expressed concern that they did not genuinely present an opportunity for a different outcome to be reached and that the public authority frequently did not specify the appropriate subsection of the exemption. In light of this the Commissioner expects the Council to take steps to minimise the likelihood of additional exemptions being applied during the course of future investigations and ensure that when it issues refusals or conducts internal reviews, these demonstrate that the issues have been thoroughly considered and explained by the authority.

Right of Appeal

61. Either party has the right to appeal against this Decision Notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
Arnhem House,
31, Waterloo Way,
LEICESTER,
LE1 8DJ

Tel: 0845 600 0877

Fax: 0116 249 4253

Email: informationtribunal@tribunals.gsi.gov.uk.

Website: www.informationtribunal.gov.uk

If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this Decision Notice is sent.

Dated the 21st day of December 2010

Signed

**Andrew White
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Wycliffe House
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Legal Annex

The Freedom of Information Act 2000

General Right of Access

Section 1(1) provides that –

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.”

Effect of Exemptions

Section 2(2) provides that –

“In respect of any information which is exempt information by virtue of any provision of Part II, section 1(1)(b) does not apply if or to the extent that –

(a) the information is exempt information by virtue of a provision conferring absolute exemption, or

(b) in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information”

Time for Compliance

Section 10(1) provides that –

“Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.”

Refusal of Request

Section 17(1) provides that –

“A public authority which, in relation to any request for information, is to any extent relying on a claim that any provision of Part II relating to the duty to confirm or deny is relevant to the request or on a claim that information is exempt information must, within the time for complying with section 1(1), give the applicant 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.”

Law enforcement

Section 31(1) provides that –

“Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice-

- (a) the prevention or detection of crime