



**HEDDLU
GOGLEDD CYMRU
NORTH WALES
POLICE**

Response Date:05/09/2025

2025/930 - Investigation details

In response to your recent request for information regarding;

I am requesting information pertaining to the investigation of Trevaline Evans' disappearance and a search conducted at the Rhuddlan Golf Club under the Freedom of Information Act.

Concerns have been raised in relation to disclosing the information requested. Therefore, a Public Interest Test has been carried out to weigh up the reasons for and against disclosure; to ensure the release is in the interest of the public as a whole and not just the applicant.

The Public Interest Test has considered the following exemptions;

Section 30 (1) (a)(b) Investigations

Section 30 (1) is a prejudice based qualified exemption and there is a requirement to articulate the harm test as well as carrying out a public interest test.

Overall Harm for Section 30

To provide specific details surrounding any investigation/unsolved case would be harmful to the police service as it would disclose information/intelligence, or lack thereof, about the investigation which may have an undesirable impact on law enforcement operations throughout the UK, which would in turn hinder public safety which is paramount to us.

It must be remembered that any disclosure under Freedom of Information is a disclosure to the world rather than to a particular applicant and this information could then be exploited by those intent on causing harm or criminal behaviour.

Factors favouring disclosure of the information Section 30 (1)

We accept that there is a clear public interest in making appropriate information available to the public in order to promote openness, transparency and to provide reassurance to the public in relation to the quality and nature of policing.

Factors favouring non-disclosure of the information Section 30 (1)

Disclosure of information that undermines the operational integrity of law enforcement. Release of any specific information, tactics or capabilities will adversely affect public safety, and have a negative impact on law enforcement.

No unsolved murder is ever closed, we review them at major crime review meetings which take place quarterly. To provide specific details in relation to a particular date would divulge

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information to the outstanding offenders which may have an undesirable impact on law enforcement operations. Disclosure of information that undermines the operational integrity of law enforcement.

Balance Test

The public interest test is a consideration of whether the community benefit of possession of the information outweighs the potential harm. It is not an evaluation of what interests the public. On weighing up the competing interests, we consider that the public interest test favours withholding the requested information.

Therefore, in accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under section 17 (1) of the legislation.

We have spoken with xxx, who has lodged allegations that a member of the North Wales Police Department xxx We understand this complaint has been investigated by the department, but would still like to give you an opportunity to comment.

Can you confirm that the area under the xxxx was searched in March 2019? What steps were taken to refute or confirm their claim that there were human remains there? Were any human bones located anywhere during this search?

Was the floor fully torn up or excavated? If not, how was the search conducted?

Was a trap door found in the floor of this bar, in a storage room connect to the bar or elsewhere in the area?

As this remains an unsolved missing person case/undetected crime, concerns have been raised in disclosing information into the public domain. North Wales Police can neither confirm nor deny whether information relevant to this request is held, as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 30(3) Investigations

Section 30 is a class based qualified exemption and consideration of the public interest must be given as to whether neither confirming nor denying the information exists is the appropriate response.

Harm

FOI requests are disclosures to the world (not just to the applicant making the request), if North Wales Police were to use exemptions against the information requested (rather rely on the use Section 30 (3)) this could provide the public with the exact information we are trying to protect.

To disclose (confirm or deny) if the information requested is held could hinder the investigation when it is reviewed or if and when new information comes to light.

The disclosure of information which is likely to undermine the Police service's ability to serve the public in preventing and detecting crime can only be considered as being harmful to the public.

Public Interest Test

Factors favouring Confirming or Denying for Section 30

The disclosure of this information would adhere to the general principle of openness and transparency, by providing better awareness which may reduce crime or lead to more information from the public.

It would provide information as to what investigations are being carried out in relation to this case.

Factors against Confirming or Denying for Section 30

The information requested relates directly to an unsolved missing person case/undetected crime, which may be subject to further investigation and continual review in the future. Confirming or denying that any information is held regarding your specific questions has the potential to undermine any criminal proceedings which could arise.

Balance Test

The Police Service is tasked with enforcing the law and protecting the community we serve and there is a public interest argument in ensuring we are open and transparent.

However, the ability of North Wales Police to conduct enquiries is crucial to the principles of prevention and detection of crime. We are unable to disclose information which could potentially form part of proceedings down the line.

There is also a large amount of information in the public domain which has been carefully assessed for release to help aid the investigation. Anything additional to this is not suitable for disclosure as it could be detrimental to the case/ future investigations.

Therefore, in accordance with section 30 (3) of the FOIA 2000, I can neither confirm nor deny that this information is held by North Wales Police. This refusal should not be taken to mean that the information you have requested exists or does not exist.

Consequently, in accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under section 17 (1) of the legislation.

Was xxx present in the room at the time of the search?

Can you confirm whether xxx of Trevaline Evans, was employed as a handyman (part time or otherwise) ... Club at any point?

Can you confirm whether xxx of Trevaline Evans, was employed as a law enforcement officer at the time of Trevaline Evans' disappearance?

All requests made under Freedom of Information Act (FOIA) are applicant blind, and a Freedom of Information (FOI) request must be treated as such as a public authority will always view any disclosure as into the public domain. This is because FOI requests are disclosures to the world (not just to the applicant making the request), and the data protection rights of a third party would be breached by disclosure.

The provisions in Section 40 (1) to (4) of the Freedom of Information Act exempt personal data from disclosure and Section 1(1) (a) of the FOIA imposes a duty on a public authority to either confirm or deny if it holds information specified in a request.

However, in relation to a request which constitutes the personal data of individual(s) other than the applicant(s) (i.e. the person making the request), section 40(5)(b)(i), further excludes a public authority from complying with the duty imposed by section 1(1)(a) FOIA if complying with that duty would contravene any of the data protection principles under the Data Protection Act 2018 (DPA).

Therefore, the first element that needs to be met before relying on section 40(5) (b) (i) is that the information requested should, if held, constitute the personal data of a third party (i.e. someone other than the person making the request).

Personal data is defined in the DPA as follows:

"...“Personal data” means any information relating to an identified or identifiable living individual (subject to subsection (14)(c)) [and] “Identifiable living individual” means a living individual who can be identified, directly or indirectly, in particular by reference to— (a)an identifier such as a name, an identification number, location data or an online identifier, or (b)one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.”

As FOI requests are disclosures to the world (not just to the applicant making the request), if North Wales Police were to use exemptions against the information requested (rather rely on the use Section 40 (5)(b)(i)) this would provide the public with information about a certain individual or individuals.

However as Section 40(5) (b) (i) specifically refers to giving confirmation or denial ‘to a member of the public’ it could be argued that giving confirmation or denial to the requestor would not necessarily contravene any Data Protection Principles. Nevertheless, even if we confirmed that we held the information, and then withheld it under another exemption of the Act (e.g. Section 40 (2)) the confirmation alone would disclose personal data of the Data subject/s.

The next element I have considered is whether confirming or denying if the information requested is held, would contravene any of the Data Protection principles.

The first Data Protection principle states: ‘that the processing of personal data for any of the law enforcement purposes must be lawful and fair.’ It is our belief that confirmation or denial that North Wales Police hold the information requested would be unfair to those who may/may not fall into the remit of the request, and therefore contravention of the first data protection principle.

This is because simply confirming whether or not North Wales Police holds the information requested would provide personal information, and to do so would not be fair. If North Wales Police confirmed or denied that we held data surrounding an individual/s this would amount to the disclosure of personal data because we would be telling the world something about that individual/s.

Lastly, in terms of the legitimate interests in disclosure, the information requested would be personal to any individual/s it may or may not concern. Therefore, confirmation as to whether or not any information is in fact held would not be of any benefit to the public.

Therefore, in accordance with section 40(5)(b)(i) of the FOIA 2000, I can neither confirm nor deny that this information is held by North Wales Police. This refusal should not be taken to mean that the information you have requested exists or does not exist.

Consequently, in accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under section 17 (1) of the legislation.

THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST
UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT 04/09/2025