



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2008-04918

Keyword: Operational Policing

Subject: GARY GLITTER

Request:

Has your police force had any contact with Gary Glitter since he returned to the UK?

If so, in what sense?

For example, has he signed on the Sex Offenders Register in the force area?

What costs have been incurred in monitoring him?

What costs have been incurred in protecting him?

Answer:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at section 1(1)(a) is to confirm or deny whether the information specified in the request is held. The second duty at section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon section 17 of the FOIA requires that the applicant is provided with a notice, which

- (a) states that fact,
- (b) specifies the exemption(s) in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies.

The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds the information relevant to your request, 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 40(5) Personal Information

Section 31(3) Law Enforcement

To confirm or deny that any information is held in relation to this request in effect confirms to the world that a particular individual has or has not had contact with a particular police force, a clear breach of the Data Protection Act. Confirming that information is or is not held also enables a process of elimination to be undertaken to ascertain where in the country that individual is residing or has resided, by virtue of comparing those forces which provide a "no information held" response with those forces providing the information or relying on exemptions, also a breach of the Data Protection Act. To confirm that any information is held in relation to an individual whom the police service has already publicly confirmed is taking part in the Multi-Agency Public Protection Arrangements (MAPPA) process would be a breach of confidence, which could result in that individual withdrawing co-operation and undermining the effectiveness of the MAPPA process.

A disclosure under the Freedom of Information is a release of information to the world in general and not to an individual applicant. Therefore, simply confirming or not that such information were held would disclose personal information about an individual thereby breaching the Data Protection Act.

No inference can be taken from this refusal that the information you have requested does, or does not exist.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnipolice.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.