Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST

Request Number: F-2008-03909

Keyword: Organisational Information/Governance

Subject: Status of search warrants and the subsequent issuance or rejection

Request:

Q1. I am trying to find information relating to the status of requests for search warrants and the subsequent issuance or rejection thereof.

Are the requests and/or the warrants themselves public records? Is it possible to see individual requests/warrants or lists of warrants sought, granted and/or rejected?

If these records are open to the public, can you please provide information how they may be accessed, in particular what information is required to view details relating to a specific warrant.

Also, can you tell me what aggregate information is kept or available: e.g. is information produced/published on the number of requests made / accepted / rejected per month (or some other period), and is this, or can this be, broken down by court location and/or magistrate/judge and/or requesting party? Presumably if all these records are kept in a computer database it would be possible to get any such report, but I'm unsure what information is stored and in what format, and whether any statistics are regularly published or would need to be requested individually.

Answer:

Answer

The Police Service of Northern Ireland are interpreting this request as asking about the procedure for accessing information about warrants requested/issued/rejected rather than actually asking to see the warrants themselves.

Warrants are not Public documents in the sense that they are routinely published but information held by a public authority, such as information about warrants maybe requested under the Freedom of Information Act 2000. However it should be noted when requesting such information under FOIA, the information will always be assessed for harm prior to disclosure, information relating to warrants is likely to be considered sensitive material and therefore subject to exemptions.

Under section 16 we have a duty to provide advise and assistance, for your information, No Statistics with regard to search warrants are published regularly and any information regarding warrants e.g. the number of requests made / accepted / rejected per month (or some other period), is not held centrally within the PSNI. Any retrieval of this information and presentation of same in an understandable format would prove to be labour intensive because we would have to contact each District Command Unit (DCU) to obtain any information which is available. This would mean a

manual search/retrieval of records being carried out by each DCU, which may result in the request exceeding the 'appropriate limit' as stated in the Freedom of Information Regulations 2004, which is currently set by the Secretary of State at £450.

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 email.

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 all PSNI replies under Freedom of Information will be released simultaneously into the public domain via our website @ www.psni.police.uk.

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