



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2008-05101  
**Keyword:** Organisational Information/Governance  
**Subject:** STEVENS REPORTS

### Request:

**Under the Freedom of Information Act may I have a Copy of the Stevens II and Stevens III reports?**

### Answer:

Your request for information has now been considered and the decision has been taken not to supply the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, 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 not otherwise apparent) why the exemption applies.

With regard to the Stevens III report I can advise that certain information is exempt by virtue of Sec 21 (Information Reasonably Accessible by Other Means) in that the summary and recommendations from the report are already in the public domain and can be viewed at

[www.madden-finucane.com/patfinucane/archive/pat\\_finucane/2003-04-17\\_stevens\\_report.pdf](http://www.madden-finucane.com/patfinucane/archive/pat_finucane/2003-04-17_stevens_report.pdf)

In relation to the other information requested, the following exemptions which we have applied, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

- Section 23 - Information supplied by, or concerning, certain security bodies,
- Section 24 - National Security
- Section 30 - Criminal Investigations and Proceedings by a Public Authority
- Section 31 - Law Enforcement and
- Section 38 - Health and Safety

### Harm

The release of information under the Freedom of Information Act must be considered a release of information to the world as a whole and therefore any disclosure of the requested information would clearly be information that has been obtained from and relates to certain agencies that deal with security matters. Similarly the reports contain information, which is required for the purposes of safeguarding national security.

It is not in the public interest to endanger the life of any person, nor to put current and future intelligence networks at risk. Any disclosure that may reduce the flow of information to the PSNI and intelligence agencies would have a substantial

prejudicial impact on the ability of such authorities to collect reliable and accurate intelligence.

Covert Human Intelligence Sources (CHIS) (regardless of their motivation) provide information at particular personal risk to themselves and their families. As previous cases have shown, where a CHIS is identified it can result in substantial physical harm, or mental trauma resulting from the threat of physical harm. This problem is particularly acute in cases relating to serious crime and terrorism where the threat against individuals is substantial.

## **Public Interest Test**

### **Considerations Favouring Disclosure**

#### **Accountability**

The information you have requested relates directly to the efficiency and effectiveness of the Police Service of Northern Ireland who whilst willing to display openness and transparency instructed the reports to be carried out. The actions of the Police Service, particularly in relation to crime prevention and detection, require an appropriate application of legislation. This information would go some way towards reassuring those factors.

#### **Public Awareness and Debate**

The release of this information would contribute to the quality and accuracy of public awareness / debate and would encourage the community in understanding how the Police Service of Northern Ireland carry out their duties in investigating attempted/murders

### **Considerations Favouring Non-Disclosure**

#### **Efficient and Effective conduct of the service**

It would not be in the public interest to release information that may prevent or hinder current and future law enforcement. Disclosure is likely to compromise the law enforcement capability of the force. As there are several investigations still on going, any disclosure would prejudice further attempts to detect crime and prosecute offenders.

#### **Investigations**

It would not be in the public interest to release information that may be of assistance to anyone involved in criminal activity. The release of information would clearly hinder any subsequent investigation or prosecution and subsequently disrupt the administration of justice and prejudice future court cases.

#### **Public Safety**

Release of this information may adversely affect wider public safety if the criminal fraternity/less law-abiding individuals are provided with a tactical advantage over the PSNI.

## **Balance**

After weighing up the competing interests I have determined that the disclosure of the requested information would not be in the public interest. I consider that the benefit that would result from the information being disclosed does not outweigh disclosing information relating to the Stevens Reports. On balance, if disclosed, there could be the likelihood that the future law enforcement role of the PSNI could be compromised and the safety of individuals and the public put at risk. It cannot be justified that the public's interest would be served in releasing this specific information if either of these aspects were to be compromised in any way.

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](mailto: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.psni.police.uk](http://www.psni.police.uk)

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