



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2009-03522

**Keyword:** Crime

**Subject:** QUESTIONS ON GANGS

### Request and Answer:

In relation to Questions 1 (a),(b),(c) and 2

#### Question 1:

- (a) How many street gangs are recorded as operating in your force area,
- (b) what are their names and, if held,
- (c) the assessment of the numbers of individuals involved in each street gang.

#### Question 2

: Any information held on the type of criminal activities or anti-social activities the street gang or members of the street gang are suspected of being involved in.

### Answer to Questions 1 (a),(b),(c) and 2

Searches were conducted, however, these searches failed to locate any information on Street Gangs. Accordingly, I have determined that the Police Service of Northern Ireland (PSNI) does not hold the information to which you seek access.

In relation to Questions 3 (a),(b),(c) and 4

#### Question 3:

- (a) How many organised crime gangs are recorded as operating in your force area,
- (b) what are their names and, if held,
- (c) the assessment of the numbers of individuals involved in each organised crime gang.

Question 4: Any information held on the type of criminal activities or anti-social activities the organised crime gang or members of the organised crime gang are suspected of being involved in.

### Answer to Questions 3 (a),(b),(c) and 4

PSNI can neither confirm nor deny that it holds any information relevant to organised crime gangs within our jurisdiction as the duty in s1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

Section 23(5) - Information supplied by or concerning certain Security Bodies

Section 31(3) - Law Enforcement

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest test in this area.

Section 31 is a prejudice based qualified exemption and there is a requirement to articulate the harm (prejudice) that would be caused in confirming or not that the information is held as well as considering the public interest to ensure neither confirming nor denying is the appropriate response.

### **Section 31(3) - Law Enforcement**

The PSNI is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve and there is a public interest in the transparency of effective law enforcement. Modern-day policing is intelligence led and the PSNI share information with other law enforcement agencies as part of the intelligence gathering process. Irrespective of whether information is or isn't held, the PSNI will never confirm policing activity which could undermine the partnership approach of information sharing which may lead to an impact on police resources, for example, If PSNI confirmed or denied the involvement of organised crime gangs in a particular activity the confirmation or denial could impact on the PSNI's or our partner agencies ability to perform our overall functions under the Police (NI) Act 2000, which states:

"It shall be the general duty of police officers –

- (a) to protect life and property;
- (b) to preserve order;
- (c) to prevent the commission of offences;
- (d) where an offence has been committed, to take measures to bring the offender to justice."

### **Balancing Test**

The delivery of effective law enforcement and public safety are of paramount importance and the PSNI will not divulge whether information is or isn't held if to do so would place the safety of an individual at risk or compromise effective policing activity. Therefore, at this moment in time, it is our opinion that for these issues the balancing test for disclosure is not made out.

No inference can be taken from this refusal that the information you have requested is or isn't held.

If you have any queries regarding your request or the decision please do not hesitate to contact 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](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.psnj.police.uk](http://www.psnj.police.uk)

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