



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2009-02890

**Keyword:** Crime

**Subject:** TAKING OF PHOTOGRAPHS - SEC 44 TERRORISM ACT 2000 ETC

### Request and Answer:

#### Question 1

On 18 August 2009, the Home Office released the circular Photography and Counter-Terrorism Legislation, which states that terror laws such as Section 44 of the Terrorism Act 2000 and Section 76A of the Counter-Terrorism Act 2008 cannot be used to prevent photographers from taking pictures in public.

In a letter to the National Union of Journalists sent on that same day, David Hanson, the Minister of State for Security, Counter-Terrorism, Crime and Policing, said: 'In relation to both Section 44 and Section 58A, I have written to all Chief Constables of forces with standing section 44 authorisations and to Hugh Orde of [the Association of Chief Police Officers] providing them with the new circular.'

I have asked Chief Constables to ensure that the revised guidance on section 44 and the circular are cascaded down to all officers on the street to ensure they are made aware that these powers cannot be used to stop anyone from taking photographs.'

When did your Chief Constable receive the circular Photography and Counter-Terrorism Legislation?

#### Answer

This was received by the Police Service of Northern Ireland on 28th August 2009 contained within a letter from the Deputy Director for Security at the Northern Ireland office dated 24 August 2009 and which was addressed to the Deputy Chief Constable.

#### Question 2

Has the Chief Constable for your county cascaded down to all officers on the street the Home Office's circular?

#### Question 3

If so, when was this done and in what manner (by email, during a forces briefing, during training, etc.)?

#### Answer

The contents of the letter and the associated circular were disseminated to all Chief Officers via email on 28th August 2009 for their attention and further dissemination throughout their departments. It was also published on the Police Service of Northern Ireland's internal website.

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.psnipolice.uk](http://www.psnipolice.uk)

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