



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-00029
Keyword: Crime
Subject: TERRORIST ARRESTS

Request and Answer:

I have today decided to:

- disclose records in answer to question number 1 in full and
- fully exempt records in answer to question number 2 pursuant to the provisions of section 21 of the Act.
- Refuse records in answer to question number 3 on cost grounds.

Question 1

Under the Freedom of Information Act can I please have figures for the number of people who have been arrested under prevention of terrorism legislation for suspected terrorist related offences in Northern Ireland in the last three years broken down annually.

Answer

Please find attached records.

Question 2

Can I also have numbers of people who have been referred to the PPS by the PSNI for possible prosecution for terrorist related offences in the last three years?

Answer

The following exemption has been applied:

Section 21 - Information Reasonably Accessible by Other Means.

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.

The information you request may be located at http://www.psnipolice.uk/persons_charged_fy-22.pdf. I have enclosed a copy of this information for your convenience.

Question 3

For the same period of time can these arrests be broken down into gender, ethnic and religious backgrounds of those arrested and held using prevention of terrorism legislation.

Answer

The cost of complying with your request for information would exceed the "appropriate limit" as stated in the Freedom of Information Regulations 2004, which is currently set by the Secretary of State at £450. This is because ethnic background and gender information of those persons arrested and held using prevention of terrorism legislation are manually recorded on the Custody Record. To retrieve this information each custody record from start of 2006 to the end of 2008 would have to be checked manually. As there are over 500 Custody Records this would be a time consuming and labour intensive process that would result in the "appropriate limit" being exceeded as stated. There is no electronic means of retrieving this information.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions. Reducing the time period stated by you in Question 1, and applied to this question would have the effect of reducing the time required to retrieve the requested information.

It should be noted that no details are recorded in relation to the religion of persons arrested and held using prevention of terrorism legislation.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice in relation to this question, and the request has therefore been closed.

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.psni.police.uk

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

FOI-2009-00029 Under the Freedom of Information Act can I please have figures for the number of people who have been arrested under prevention of terrorism legislation for suspected terrorist related offences in Northern Ireland in the last three years broken down annually.

Security Situation Statistics

The number of persons arrested under Section 41¹ of the Terrorism Act

1st January 2006 – 31st December 2008

Year	Persons Arrested under Section 41 ¹ of TACT
2006	214
2007	145
2008	153
Total	512

¹ Section 41 of the Terrorism Act - An officer may arrest without a warrant, any person whom they reasonably suspect to be a terrorist.

Note: 2008 Statistics are provisional and may be subject to minor amendment.

Source: Central Statistics Unit, Police Service of Northern Ireland, Lisnasharragh