



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2009-02584

**Keyword:** Finance

**Subject:** COST OF PARADES IN FERMANAGH 2009

### Request and Answer:

*I have decided to:*

- *disclose records in answer to Question 7 in full;*
- *fully exempt records in answer to Questions 1 to 6 pursuant to the provisions of Sections 31 and 38 of the Act.*

*In relation to Question 8, no information is held by the PSNI.*

### Question 1

I would like some questions answered if possible under the Freedom of Information Act on the cost of orange parades to the Fermanagh PSNI budget so far this year.

There were four major parades in the county that were seen to have the highest police presence.

They were the Loyalist band parade in Newtownbutler, July 3, Lisbellaw Twelfth Parade, July 13 and the Royal Black Preceptor Parade Maguiresbridge, August 8 with a RBP church parade taking place the following night in Newtownbutler on August 9.

I would like to know the following:

How many tactical support police officers/units were sent to supervise the parades in Newtownbutler- Friday July 3, Lisbellaw-Monday July 13 and the two RBPs in Maguiresbridge August 8 and Newtownbutler August 9.

### Question 2

How many Landrovers and motorbikes were deployed to Newtownbutler - Friday July 3, Lisbellaw-Monday July 13 and the two RBPs in Maguiresbridge August 8 and Newtownbutler August 9.

### Question 3

How many helicopters were also sent to the aforementioned locations?

### Question 4

How much of the policing budget was spent on closing the main A4 road on the afternoon of the RBP parade in Maguiresbridge August 8?

### Question 5

How many police officers were sent to Enniskillen to direct traffic on August 8?

## **Question 6**

Are the PSNI officers who were sent to these parades in Newtownbutler, Lisbellaw and Maguiresbridge all based in Fermanagh or were they deployed from elsewhere in NI?

## **Answer**

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 exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31(1)(a) and (b) Law Enforcement; and  
Section 38(1)(a) and (b) Health and Safety

Both Sections 31 and 38 are Prejudice Based exemptions which means that the Public Authority must outline the potential prejudice in disclosure. Both of these sections are also Qualified exemptions which means the Public Authority must carry out a Public Interest Test.

### **Harm Test**

Questions 1 to 6 deal directly with police resource issues and as such is a highly sensitive area, particularly when resource information at such a low level and in such detail is requested.

#### **Community:**

Police in the area to which this request relates are concerned about information being released which would cause divisions between communities in that area and that this would be counter productive to police efforts to help heal divisions. If one side of the community were to perceive that police were providing a better service to the other side, or on the other hand were to perceive that they were being subject to more restrictive measures by police, unrest and divisions would certainly be more probable than not. One does not have to look very far to see the adverse effects that such divisions can cause to policing in NI, particularly concerning the issue of contentious parades. Year after year, the parades issue continues to make headlines and challenge police resource planning and diplomacy. The recent history of issues surrounding contentious parades in NI clearly demonstrates a real and significant risk of harm if this information is released.

#### **Police Service:**

Policing in Northern Ireland has become increasingly difficult with a heightened threat from dissident terrorists. The recent murders of Constable Stephen Carroll and of two soldiers at Massarrene Barracks in March 2009 as well as previous and subsequent, unsuccessful attempts on officer's lives, clearly demonstrates that there is a real and significant risk of harm to officers. To provide resource information at such a low and detailed level would clearly provide terrorists with valuable information that they could easily use to target officers policing next years parades in the same area. They would be aware of the parades where the lowest numbers of officers were deployed and therefore where they would be more likely to be able to carry out attacks successfully.

### **Public Interest Test**

#### **Factors Favouring Release**

##### **Accountability**

The PSNI has the duty of policing parades in NI and the public have a right to know that resources, both in terms of police personnel and equipment, and finance, are being used both adequately and responsibly to do so.

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

There has been much public debate on the subject of parades in NI for quite a few years. This year the focus of the debate does seem to have been on how the parades have been policed in terms of public financial expenditure. Release of this information would inform that debate and counter speculation.

##### **Public Safety**

Parades can be contentious issues in NI and on occasions public unrest and disturbance can accompany or follow such parades. The Public, both those participating in the parade or supporting it, and those opposed to it have a right to know that their safety is being adequately protected by the police.

## **For Retention**

### Efficient and Effective Conduct

It may be assumed that the threat from dissident terrorists already causes some pressure on police resources. If this information were to be released, there is no doubt that police in that area would have to take that fact under consideration when allocating resources in future years and it is highly likely that resources would have to be redirected to future parades in response. In turn this would obviously result in un-necessary increased pressure on other areas of policing in that district.

### Existing Procedures

District Policing Partnerships have been established to cater for police accountability to the community and as a forum through which local issues such as this may be raised.

### Human Rights Morals and Ethics

Article 2 of the Human Rights Act 1998 imposes a positive obligation on police to protect life, including the lives of police officers. Release of this information would be useful to terrorists in targeting police officers for attack thereby increasing the risk to those officers, a breach of Article 2.

### Public Safety

Release of this information would risk increasing tensions between communities in that area, therefore increasing the likelihood of unrest, a clear risk to public safety. In addition, any potential attack on police as discussed, would involve an inherent danger to the public in the surrounding area.

## **Decision**

Accountability, public awareness and public safety relate back to the origins and purpose of FOI and are always valid and strong arguments favouring release of information. In this case however there is a strong likelihood, as evidenced by the recent history of events surrounding parades and attacks on police in NI, that the level of risk associated with release is very high. The decision in this case must therefore be that the answers to questions 1 to 6 are not released and the exemptions at Sections 31 and 38 are applied.

### **Question 7**

How much has the PSNI budget been spent on policing orange parades across F District so far this year.

### **Answer**

Up to and including 13<sup>th</sup> July was £197,829.29. Figures since this date have not yet been finalised.

### **Question 8**

How much has Fermanagh PSNI spent on policing parades compared to the rest of areas in F District and could I see a breakdown?

### **Answer**

Costing is for the whole of F District. Fermanagh is not costed separately. The information to which you seek access in this question is therefore not held by the PSNI.

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 @ <http://www.psni.police.uk/>

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