



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2008-05427

Keyword: Human Resources

Subject: SPED SCHEME

Request:

1. I am seeking to find out how many people have been moved out of their homes through the SPED (Special Purchase of Evacuated Dwellings) scheme in this past (i) year (ii) three years (iii) five years?
2. I want to know from which area of Northern Ireland did each householder using the SPED scheme have to move?
3. I would like to know the reasons for the intimidation resulting in the implementation of the SPED scheme?
4. How many police officers have been forced to move out of their house for their own safety in the past (i) year (ii) three years (iii) five years?
5. How many police officers have used the SPED scheme in the past (i) year (ii) three years (iii) five years?
6. From which area of Northern Ireland did each police officer using the SPED scheme have to move from?
7. How many security personnel have been forced out of their home because of threats and intimidation in the past (i) year (ii) three years (iii) five years?
8. From which area of Northern Ireland did each security worker using the SPED scheme have to move?

Answer:

In relation to questions **1, 2 and 3** PSNI do not hold the requested information as The Northern Ireland House Executive (NIHE) operates a scheme for the purchase of evacuated dwellings to assist owner-occupiers who are forced to leave their homes because of threat or intimidation. This scheme is wholly owned and administrated by NIHE and is not a police scheme.

In relation to questions **4,7 and 8** PSNI does not retain this information in an easily retrievable format. A case-by-case search would have to be carried out. To conduct this search would involve a disproportionate amount of resources, which could impact, on the PSNI's ability to deliver a professional service to the community. This search may or may not reveal the information you have requested.

It is therefore considered 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.

The PSNI have also considered whether we can be of any assistance in terms of helping you refine your request to bring

it under the cost limit however, the nature and structure of the information unfortunately makes this impossible.

It should be noted that even if this information were retrievable could it be subject to exemptions.

In relation to Questions 5 and 6

In reliance on the exemptions in sections 24(2), 31(3), 38(2) and 40(5) of the Freedom of Information Act (2000), PSNI can neither confirm nor deny whether we hold any information relevant to questions 5 and 6 of your request. To the extent that section 24(2), 31(3), 38(2) applies, it has been determined that in all the circumstances of the case the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in confirming whether or not the information is held.

This response should not be taken as evidence that the information you have requested exists or does not exist.

The PSNI can neither confirm nor deny that it holds any information relevant to questions 5 and 6 your request as the duty in s1 (1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions.

Absolute

Section 40(5) Personal Information

Qualified

Section 24 (2) National Security
Section 31(3) Law Enforcement
Section 38(2) Health and Safety

Section 40 is a class based absolute exemption and therefore there is no need to explain the public interest considerations in this area, it is required that we articulate the public interest considerations for the use of Sections 24, 31 and 38.

HARM

The release of information under FOIA must be considered a release of information to the world as a whole. Therefore, simply confirming or not that such information were held could disclose sensitive information.

To neither confirm nor deny the requested information could identify any intelligence held by the PSNI to any interested criminal group or organisation in respect of specific threats made to their Officers. The harm in doing this is that the criminal and terrorist fraternity can then potentially gauge the level and exchange of intelligence with other partner's, identify police tactics and reveal operational capabilities that currently exist within the PSNI law enforcement process. Such a disruption could subsequently damage national security in reducing the ability and manner in which the PSNI would be able to effectively protect the safety and well being of its community.

Confirming or denying the level of detail you are requesting, could lead to individuals being personally identified and their own and family's safety endangered should the information be acted upon by an individual or criminal organisation intent on breaching current PSNI security processes. PSNI staff provide their personal details and other information on the understanding that it will be treated in strict confidence.

Public Interest Test

The public interest test is as follows: -

Considerations Favouring Disclosure

Accountability

When information relates directly to the efficiency and effectiveness of the PSNI or its officers it would generally be of benefit to the community to confirm whether information requested is held or not.

Public Debate

To confirm whether information requested is held or not could contribute to the quality and accuracy of public debate and encourage the community to be more vigilant and proactive in the fight against crime.

Considerations Favouring Non-Disclosure

Efficient and effective conduct of the service.

In respect of questions 5 and 6 to confirm or deny whether any information is held or not has the potential to compromise the prevention and detection of crime.

Current investigations

It is in the public interest to engage the neither confirm nor deny principals to any information that may be of assistance to anyone involved in criminal activity or matters relating to national security.

Balancing Test

Having considered the arguments highlighted above it is considered that the balance in the public interest test is one of maintaining the exclusion of the duty to confirm or deny as it outweighs the public interest in disclosing whether PSNI holds the information requested.

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 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

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

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