



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-00860

Keyword: Operational Policing

Subject: SECTION 44 TERRORISM ACT STOP SEARCHES IN STRABANE

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

Question 1

What was the total cost of police stop and searches carried out in Strabane town under Section 44 (The Terrorism Act) in the last quarter of 2008 - i.e. between October and December 2008?

Answer

All officers performing duty within Strabane Area Command Unit were and are expected to exercise these powers. This means that these stop and searches would have been performed by local response officers, neighbourhood officers and outside Tactical Support Groups and Road Policing Units within the Strabane area. These stops could have been conducted within their normal patrol period in common with and consistent with other duties. In addition, police on specific operations on ordinary time and on overtime will also have conducted stop searches under the legislation. Therefore due to various pay scale levels, rates of pay, etc, it would be impossible to cost these searches. Accordingly, I have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

Question 2

Please provide a breakdown of the number of stop and searches carried out in different areas of Strabane in the last quarter of 2008 under Section 44; specifically how many stop and searches were carried out between October and December 2008 in a) the Head of the Town area and b) Springhill area?

Answer

There is no central database that contains the location of stop searches under Section 44 of The Terrorism Act. To retrieve this information would involve a manual trawl of the forms completed by the officers at the time of the search. In the period outlined in your request there have been over 625 searches carried out. To extract the location of the search and then associate that with particular estates etc would be a time consuming task. To allow a conservative estimate of 2 minutes for each record would result in approximately 20 hours work which would result in the cost of complying with your request for information exceeding the "appropriate limit" as stated in the Freedom of Information Regulations 2004, which is currently set by the Secretary of State at £450.

In relation to this question 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.

Under Section 16 of the Act we have a duty to provide advice and assistance and should you consider submitting a refined request I can advise that to keep cost within the £450 ceiling the Police Service of Northern Ireland may be able to supply the information if the time scale involved were to be reduced from three months to, for example two months or one month.

Question 3

How many stop and searches were carried out per month in the last quarter of 2008 under Section 44 (The Terrorism Act) in Strabane?

Answer

Between the 1st October 2008 - 31st December 2008, there were 625 persons stopped and searched under Section 44 of the Terrorism Act.

The breakdown by month is as follows:

- 233 Section 44 stop and searches in October 2008
- 259 Section 44 stop and searches in November 2008
- 133 Section 44 stop and searches in December 2008

Please note there was a further 7 stop and searches during this period where a vehicle only was stopped and searched under TACT Section 44.

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.

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.