



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-02339

Keyword: Organisational Information/Governance

Subject: CCTV SUITE - STRANDTOWN PSNI STATION

Request and Answer:

Question 1

Could you tell me did the PSNI consult with Belfast District Policing Partnership before reducing the monitoring hours at CCTV suite at Strandtown Police station - if so could I have a copy of that consultation or minutes of any meetings that took place please?

Question 2

Did the PSNI carry out a risk assessment before reducing the monitoring hours at CCTV suite at Strandtown Police station - if so could I have a copy of that risk assessment please?

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1 (1) (a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1 (1) (b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 (1) of FOIA requires that we provide the applicant with a notice which:

- a) states that fact
- b) specifies the exemption(s) in question and,
- c) states (if that would not otherwise be apparent) why the exemption applies

The Police Service of Northern Ireland can neither confirm nor deny that it holds the information you requested as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply, by virtue of the following exemptions:

Section 24(2) National Security

Section 30(3) Investigations or proceedings conducted by public authorities

Section 31(3) Law enforcement

Section 38(2) Health & Safety

This should not be taken as conclusive evidence that any information that would meet your request exists or does not exist.

All sections are qualified and require us to carry out a public interest balancing test before they can be relied upon.

In respect of all the qualified exemptions we have 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 we hold the

information requested.

Disclosure Considerations

To confirm or deny any Police actions in this specialist tactical area would undermine ongoing investigations, reveal policing techniques, risk the identification of individuals and undermine National Security.

The Police Service is committed to demonstrating proportionality and accountability regarding surveillance and CCTV techniques to the appropriate authorities. However, if the Police Service were to either confirm or deny these questions, other covert surveillance tactics will either be compromised or significantly weakened. If the Police Service denies a tactic is used in one request but then exempts for another, requesters can determine the 'exempt' answer is in fact a technique used in policing. The impact would undermine national security, any ongoing investigations and any future investigations, as it would enable targeted individuals/groups to become surveillance aware. This would help subjects avoid detection, and inhibit the prevention and detection of crime.

Factors Favouring Compliance with Section 1(1)a (To confirm or deny)

Confirming or denying when/where these powers have been used would increase public scrutiny of police actions and in turn hold the police service to account. It is appreciated that members of the public will naturally be interested in techniques employed for surveillance. Likewise, we also understand some people believe surveillance, especially CCTV, is used too widely, and therefore an unnecessary intrusion into their privacy. Confirmation or denial of the use of this operational tactic will enable better informed public debate.

Factors favouring the need to NCND

To confirm or deny if this information does or does not exist will render policing tactics ineffective as previously outlined. Police surveillance activity is subject to annual inspection by the Interception of Communications Commissioners Office (IOCCO) and Office of Surveillance Commissioners (OSC). These inspections assess each Constabulary's compliance with the legislation and a full report is submitted to the Prime Minister and Scottish Ministers containing statistical information.

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.