



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-02420

Keyword: Organisational Information/Governance

Subject: DISTRICT POLICING / COMMUNITY SAFETY PARTNERSHIPS

Request and Answer:

I have decided to:

- Partially exempt records in relation to Question 1 pursuant to the provisions of Section 36 (1) (b) and (2) (c) and Section 40 (2) of the Act.
- Disclose records in relation to Questions 2 and 3 in full.

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.

Question 1

According to the Northern Ireland Office the PSNI is part of a review group to oversee the merger of District policing partnerships and Community safety partnerships. Could you provide me with any documents/minutes of meetings in relation to the PSNI taking part in this review group?

Answer

Please see the attached documents below. In accordance with Section 36 of the Freedom of Information Act I, as a qualified person, am of the reasonable opinion that further documents should not be supplied subject to Section 36 exemptions.

The factors that I considered when deciding where the public interest lies with regard to Question 1 are listed below.

Your request also contains questions that to answer would require the release of personal details about individuals other than the applicant. This would be a breach of the Data Protection Act and is catered for within Freedom of Information by the exemptions under Section 40(2) as outlined below.

Section 40(2) is a Class-based exemption, therefore it is not necessary to evidence the harm caused by disclosure. The data protection rights of a third party would be breached by disclosure, therefore Section 40(2) is an Absolute exemption and a Public Interest Test is not necessary. This is so because personal data is governed by other law (The Data Protection Act 1998).

All requests made under FOIA are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain and not just to an individual.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal

data about a third party it can only be released if disclosure would not breach any of the data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly. This data was imparted to the PSNI for administrative purposes. To process this information for any other purpose, i.e. by releasing it under Freedom of Information would be unfair to the individuals concerned and therefore a breach of this principle.

Section 36 (1) (b) and (2) (c) Disclosure Prejudicing the Effective Conduct of Public Affairs. This is a prejudice based exemption which means that the public authority must demonstrate that it is satisfied that to release information which is held by another public authority would prejudice or would be likely to prejudice the effective conduct of public affairs. It is also a qualified exemption which means that the public authority must consider the balance of the public interest in releasing the information against the public interest in withholding it.

Harm test

Community; The information requested on the initial review group established to look at the future role of District Policing Partnerships and Community Safety Partnerships should not be disclosed as the formulation of the policy regarding the future policy on the delivery of DPP and CSP functions is ongoing and no decision has been made. Early release of the requested information is premature in light of this, and is likely to cause confusion amongst members of the general public.

Other Organisations/Bodies; Premature release of the requested information could stifle internal debate, discussion and the exploration of different opinions available during future consultation exercises, which is not in the public interest. Ministers and officials need clear space away from public pressure, to consider policy and to explore all of the options and possible implications and develop a policy which is best suited to all.

Public Interest Test

Favouring Disclosure

Accountability

The purpose of the Act is to make Public Authorities more accountable. Therefore it is in the public interest to release information which relates directly to how the force is fulfilling its role and any decisions that have been taken in relation to general policy issues. There is a public interest in future arrangements for community safety and that District Policing Partnerships functions are being fulfilled.

Public Awareness and Debate

Disclosure may assist individuals by raising awareness of issues which may be of relevance to them. Release of the information may empower them to make more effective decisions about their own activities or contribute to more accurate public debate regarding the delivery of community safety.

Public Participation

The service may benefit from public participation and from the input of the community at large in relation to this matter. There exists a need for the public's assistance in crime prevention and detection and debate with regard to policy and decision making is encouraged.

Favouring Non- Disclosure

Efficient and Effective conduct of the service

The current law enforcement role of the force may be compromised by the release of the information. Publication of this information may inhibit the free and frank exchange of views for the purposes of deliberation or prejudice the effective conduct of the service.

Flow of Information to the Service or a Force

If information provided by individuals as part of a self assessment is released to the world under FOI such an action may dissuade individuals from providing their views in the future and make it difficult for the service to gather information to perform its public service functions.

Timing of Request

The timing of this request may create a public interest against disclosure. A decision is yet to be made on the future policy on the delivery of DPP and CSP functions. Premature release could seriously harm future development of policies.

Balancing Test

Having considered the arguments above it is considered that the balance in the public interest test is firmly tilted to non-disclosure. The release of the information could prejudice the formulation regarding future policy as it would hinder debate, discussions and openness. It would also bring about a lack of public confidence as the information if it were to be disclosed would be incomplete, leading to confusion.

Question 2

On what date was the PSNI contacted to join this review?

Answer

The PSNI was first approached by the Northern Ireland Office in relation to this matter in July 2007.

Question 3

Who chairs the PSNI team on this review group?

Answer

The Deputy Chief Constable at the time, Paul Leighton, chaired this for 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

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.

s.F40(2)
s.F40(2)(a)
s.F40(2)(b)
s.F40(3)(a)
s.F40(3)(ai)
s.F40(3)(aia)

[Redacted]

From: CAMPBELL Andrew (SO to CC)
Sent: 02 September 2009 13:13
To: [Redacted]
Cc: [Redacted] DEMPSEY Robin (SO to DCC)
Subject: REVIEW OF COMMUNITY SAFETY PARTNERSHIPS (CSPs) and DISTRICT POLICING PARTNERSHIPS (DPPs) - FUTURE ARRANGEMENTS

From: [Redacted] [Redacted]@nio.x.gsi.gov.uk]
Sent: 13 August 2007 14:26
To: [Redacted]
Subject: RE: REVIEW OF COMMUNITY SAFETY PARTNERSHIPS (CSPs) and DISTRICT POLICING PARTNERSHIPS (DPPs) - FUTURE ARRANGEMENTS

Hi Folks,
Very grateful if you would confirm that Thursday, 23 August 2007 from 2pm to 4pm is noted in your respective diaries
Papers will issue later this week
Many thanks and regards

[Redacted]
Northern Ireland Office
[Redacted]

From: [Redacted]
Sent: 02 August 2007 16:09
To: [Redacted]
Cc: [Redacted]
Subject: FW: REVIEW OF COMMUNITY SAFETY PARTNERSHIPS (CSPs) and DISTRICT POLICING PARTNERSHIPS (DPPs) – FUTURE ARRANGEMENTS
Importance: High

Hi Folks,

Unfortunately I have been unable to arrange a date that is suitable for everyone. The most widely suitable date is:-

Thursday, 23 August 2007 from 2pm to 4pm and the venue will be [Redacted]
[Redacted]

Apologies to those who cannot attend on this date, perhaps it would be possible for a deputy to attend?

Regards,
[Redacted]
Policing Division
Northern Ireland Office
[Redacted]

s.F40(2)
s.F40(2)(a)
s.F40(2)(b)
s.F40(3)(a)
s.F40(3)(ai)
s.F40(3)(aia)

From: [Redacted]
Sent: 17 July 2007 17:07
To: [Redacted]

Cc: [REDACTED]

Subject: REVIEW OF COMMUNITY SAFETY PARTNERSHIPS (CSPs) and DISTRICT POLICING PARTNERSHIPS (DPPs) – FUTURE ARRANGEMENTS

Hello All

[REDACTED] recently wrote to your offices about the above.

The Minister has asked officials to consider the current arrangements for Community Safety Partnerships (CSPs) and District Policing Partnerships (DPPs), in the context of current work on the Review of Public Administration as well as other related issues such as Devolution of Policing and Justice.

Accordingly [REDACTED] will be co-chairing a group to consider the issues in more detail and I will be acting as Secretary to that group.

I am in the process of setting up the first meeting of the Group and I would be v grateful if you could confirm availability on the attached spreadsheet.

As I will be on leave from today could I ask if you could reply to [REDACTED] the above email address **by 1 August.**

Look forward to hearing from you.

Many thanks

[REDACTED]
NIO, Policing Division
Castle Buildings
[REDACTED]

s.F40

s.F40(2)

s.F40(2)(a)

s.F40(2)(b)

s.F40(3)(a)

s.F40(3)(ai)

s.F40(3)(aii)

Communications on the Northern Ireland Office's computer systems may be monitored and/or recorded to secure effective operation of the system and for other lawful purposes.

**REVIEW OF COMMUNITY SAFETY PARTNERSHIPS (CSPs) AND
DISTRICT POLICING PARTNERSHIPS (DPPs) –
FUTURE ARRANGEMENTS – STEERING GROUP (MEETING NO.1)
Thursday, 23 August 2007 from 2pm to 4pm – Stormont House
Conference Room**

Agenda

- 1. Introduction/Apologies**
- 2. Background Paper (Attached)**
- 3. Update from DOE**
- 4. Draft Terms of Reference (Attached)**
- 5. Way Forward and Suggested Work Programme**
- 6. Dates for Future Meetings**

REVIEW OF COMMUNITY SAFETY PARTNERSHIPS (CSPs) AND DISTRICT POLICING PARTNERSHIPS (DPPs) – FUTURE ARRANGEMENTS

Background Paper

1. CURRENT POSITION

District Policing Partnerships (DPPs) and Community Safety Partnerships (CSPs).

Background

(a) District Policing Partnerships (DPPs)

The Patten Commission recommended that each District Council in Northern Ireland should be required to establish a District Policing Partnership (DPP). Patten also recommended that they should be co-terminous with District Command Units. There are therefore currently 26 DPPs and 4 sub-groups in Belfast. The Police (NI) Act 2000 (as amended by the Police (NI) Act 2003 and the DPP (NI) Order 2005) sets out the general functions of DPPs. The Northern Ireland Policing Board is responsible for the establishment and day to day functioning of DPPs. The outcome of the Review of Public Administration (RPA) will have an impact on the number of both District Command Units and DPPs as both are linked to the Northern Ireland District Council structure. This was acknowledged in the Patten Report.

(b) Community Safety Partnerships (CSPs)

The Government published its response to the Criminal Justice Review in November 2001 via the Criminal Justice Review Implementation Plan. This signalled that since there was to be a Review of Public Administration (RPA) which would impact on local government structures the recommendations on

community safety required further consideration taking account of this and other developments including the evaluation of CSPs working in England, Scotland and Wales. Until the findings of the RPA were finalised it was decided to establish 26 CSPA (one in each existing District Council area) on a voluntary basis. The Justice (NI) Act 2002 contains an enabling power to place CSPs onto a statutory basis, if desired, once the final recommendations of the RPA have been agreed.

Role of DPPs

DPPs are an integral part of the enhanced accountability architecture recommended by the Patten Report.

The role of the DPPs is a consultative, explanatory and monitoring one. In summary their functions are:

- to articulate community views on the policing of their district;
- to contribute to the formulation on policing plans and priorities;
- to monitor police performance at district level;
- to report on these matters to the Board and Council; and
- to obtain the co-operation of the public with the police with a view to preventing crime.

Role of CSPs

The overarching role of the CSP is to facilitate implementation and delivery of a community safety strategy at a local level. CSPs also:-

- Carry out regular audits in order to identify local problems and establish priorities;
- Consult the community in order to gather information on the perceptions of local residents;
- Develop a local strategy and action plan which seeks to reduce crime, the fear of crime and tackle anti-social behaviour;

- Identify which member organisation will be responsible for taking forward the appropriate action to achieve defined objectives;
- Carry out evaluations of proposals in order to evidence good practice and improve performance.
- Help to deliver regional crime reduction initiatives at local level.

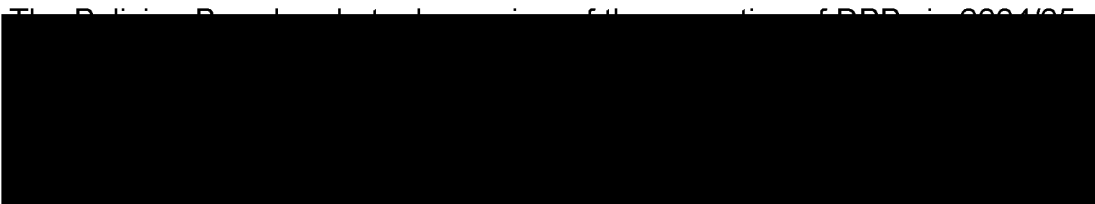
Overall, CSPs have played an important role in helping to reduce crime by 14% since 2002/03 and in keeping the NI crime rate below that in the rest of the UK.

Membership- DPPs

Like the Northern Ireland Policing Board and as recommended by the Patten Report, DPP membership is a mix of elected members and independent members. The independent members are appointed by the Policing Board in accordance with a Code of Practice issued by the Secretary of State.

Patten set in place policing accountability structures that were at that time unique, particularly in relation to the establishment of DPPs within their connection to the local community. These new accountability structures continue to have significant importance from the wider political perspective and improving public confidence. The first DPPs were established in March 2003 and in accordance with legislation were reconstituted during the summer of 2005 with all new DPPs being in place by December 2005. With the commencement of DPP related provisions in both the Police (NI) Act 2003 and the Northern Ireland (St Andrew's Agreement) Act 2006, the vast majority of DPPs are to be reconstituted. The intention is to have the reconstitution exercise concluded by early 2008.

s.F36
s.F36(1)(b)
s.F36(2)c



Page(s) 000007, 000008, 000009, 000010, 000011

is(are) exempted pursuant to section(s)

F36, F36(1)(b), F36(2)c

is(are) exempted pursuant to section(s)

**REVIEW OF LOCAL GOVERNMENT ASPECTS OF THE REVIEW OF
PUBLIC ADMINISTRATION**

TERMS OF REFERENCE

The review of local government aspects of the Review of Public Administration will consider what local government is expected to deliver in the context of a fully-functioning devolved Assembly and Executive, and in the context of the strategic direction of the Review of Public Administration, will consider the number of councils and functions that the Executive believes would be required.

In considering the number of councils, the review will consider the three options on which views were sought in the March 2005 Further Consultation on the Review of Public Administration in Northern Ireland.

In considering the functions that the Executive believe should be delivered by local government, the review will consider the decisions on local government functions set out in the previous administration's Final Announcements on the Review of Public Administration of 22 November 2005 and 21 March 2006, and will take account of financial and efficiency considerations. The review may also consider options on which views were sought in the March 2005 Further Consultation on the Review of Public Administration that Ministerial colleagues may wish to be considered.

The review will be led by a sub-committee of the Executive Committee chaired by the Minister of the Environment, and will report to the Executive by autumn 2007.

4. MINISTERIAL REVIEW AND ESTABLISHMENT OF STEERING GROUP

The Policing and Security Minister Paul Goggins has asked officials to consider the current arrangements for Community Safety Partnerships (CSPs) and District Policing Partnerships (DPPs), in the context of current work on the Review of Public Administration as well as other related issues such as Devolution of Policing and Justice.

Accordingly Stephen Leach and Carol Moore are co-chairing a Steering Group to consider the issues in more detail. The Group will take into account work that has already been progressed, including that by the Policing Board, and will look at a range of options for the optimum way forward.

At this point the Group would comprise the PSNI, Policing Board, Housing Executive, Belfast City Council, Department of Environment and NIO officials, as key stakeholders. The membership could of course develop as the work proceeds.

The timescale is that the Steering Group would aim to complete the review by the end of the year and the Minister has asked that we provide him with regular updates. Terms of reference have yet to be developed to reflect the potential needs of the key partners involved in the delivery of policing and community safety.

Page(s) 000014, 000015, 000016, 000017, 000018, 000019, 000020, 000021

is(are) exempted pursuant to section(s)

F36, F36(1)(b), F36(2)c

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