



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2009-02369

**Keyword:** Road Policing

**Subject:** DRIVERS NAMED 'PRAWO JAZDY'

### Request and Answer:

#### Question 1

How many drivers by the name of Prawo Jazdy (meaning - in Polish - driving licence) have been entered into the system along with an accompanying address and relevant details for speeding offences and parking related driving offences? Could the information requested please be provided from 2004, broken down year by year and separated numbers for speeding offences and for parking offences?

#### Answer

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at S1 (1) (a) is to confirm or deny whether the information specified in the request is held. The second duty at S1 (1) (b) is to disclose information that has been confirmed as being held. The second duty at S1 (1) (b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 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 it would not otherwise be apparent) why the exemption applies.

The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds the information relevant to your request, 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 40(5) Personal Information.

A disclosure under the Freedom of Information is a release of information to the world in general and not an individual applicant. Therefore, simply confirming or not that such information were held would disclose personal information about an individual thereby breaching the Data Protection Act.

Neither confirm nor deny is needed to protect any harm, which may arise if the Police Service of Northern Ireland has to confirm or deny it holds particular information. In some situations, simply to confirm or deny whether a particular category of information is held could in itself disclose sensitive or damaging information.

Personal data if held by a police service should not be disclosed into the public domain and privacy must be respected.

Any information released under the Freedom of Information Act in respect to requests is deemed to be released into the public domain.

I can, however, advise you as required by Section 17(4) of the Act that such information, if it were to exist, would be reasonably expected to be exempted under Section 40(5) - Personal Data.

However, this should not be taken as conclusive evidence that the information you requested exists or does not exist.

## **Question 2**

Any internal memos on the subject Prawo Jazdy/and, or comments on the steps taken to rectify the problem.

## **Answer**

Searches were conducted however these searches failed to locate any records or documents relevant to your request based on the information you have provided. Accordingly, I have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

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.