



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2010-00428

**Keyword:** Complaints/Discipline

**Subject:** Cost of Policing Over And Above Normal Duties

### Request and Answer:

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

### Question

According to the B Division Commander the PSNI has invoiced on 2 occasions for a total amount of £3,592.12 for providing policing over and above normal duties in 2009. Could you provide me with a breakdown of these costs - ie events/name of the companies/ total number officers used / were officers brought in on overtime or taken away from normal duties?

### Answer

In your question you make reference to "B Division". As the PSNI use the term "District" (District Command Unit) and not "Division" to define geographical areas, I have taken your term "B Division" to mean "B District" which is a PSNI District Command Unit made up of South and East Belfast Area Command Units.

Invoices were sent out on 2 occasions during 2009/2010 as follows:

- An invoice was sent out for £466.88 for an event in August 2009 in respect of 3 officers working 5 hrs each.
- An invoice was sent out for £3,125.24 for an event in January 2010 in respect of 11 officers carrying out duties over 3 days.

Officers used for both events were brought in on overtime.

Section 17(1) 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.

It has been decided not to release details of the events nor the names of the companies involved. The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31(1)(a) – Law Enforcement  
Section 38(1)(a) and (b) – Health and Safety

Both Sections 31 and 38 are Qualified exemptions. This means that the public authority must outline the Public Interest Considerations.

### **Harm Test**

#### Section 31

Release of the names of these companies would be likely to adversely affect the willingness of the companies and other companies to engage in any type of business with the PSNI in the future. If the companies were to continue with such events without the co-operation of police, there is a real and significant risk that disorder and/or traffic problems would arise.

#### Section 38

Published statistics clearly show deterioration in the security situation in Northern Ireland. This coupled with the fact that private companies associated with the police in Northern Ireland have previously been subject to terrorist attacks clearly demonstrates that release of the names of these companies, or any information that could easily lead to the names of the companies being established, such as the details of the event as requested, would lead to a real and significant risk of attacks on directors or employees of these companies.

### **Public Interest Test**

#### Factors Favouring Release - Section 31

To release details of the events for which the PSNI has invoiced companies for providing policing over and above normal duties in 2009 and the names of the companies would aid transparency and accountability for use of public funds.

#### Factors Favouring Retention - Section 31

If these details were to be released, the partnership approach to policing would be undermined and the fear of crime would be realised. Companies engaged in such entertainment events for the benefit of public may stop providing that service and the public would therefore be deprived of that service.

#### Factors Favouring Release - Section 38

To release details of the events for which the PSNI has invoiced companies for providing policing over and above normal duties in 2009 and the names of the companies would aid transparency and accountability for use of public funds.

#### Factors Favouring Retention - Section 38

The directors and employees of the companies concerned are also members of the public and it would not be in their interests to expose them to the risk of, or the fear of terrorist attacks. Also, the particular events for which policing was provided were run directly or indirectly for the purpose of public entertainment. If release the requested information were to result in attacks on directors or employees of the company concerned, or the fear of such attacks by those individuals, it is highly likely that the company concerned would not participate in such events in the future. The wider public would therefore be deprived of this service.

### Balance Test

The only factor favouring release of this information is related to the use of public funds, but some information relating to this matter is already in the public domain as it is clear from your question that it has been raised at a District Policing Partnership meeting. Other information, apart from the details of the events and names of the companies are being released within this request and these factors adequately address 'use of public funds' issues. Balanced against the potential of attacks or fear of attacks on individuals, the fear of crime or the undermining of the partnership approach to policing, the decision must favour retention of this 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 letter.

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 @ [www.psni.police.uk](http://www.psni.police.uk)

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