



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-02773

Keyword: Complaints/Discipline

Subject: Disciplinary Panels

Request and Answer:

Regulation 5 of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provides that where two or more requests for information are made by one person, (or by different persons who appear to be working in concert) and where the requests relate to the same or similar information, and the requests are received within 60 working days of each other, that the requests may be aggregated for the purposes of calculating costs.

Request F-2010-02773 and F-2010-02774 have therefore been aggregated in accordance with the above regulations.

Request F-2010-02773

Since the inception of the Police Service of Northern Ireland and in particular the participation of Chief Supt Henry Irvine in disciplinary panels. Would you please answer the following questions:

How many Disciplinary Panels has Chief Supt Henry Irvine participated in?

The dates of the panels.

The charges preferred at the panels.

The sanctions imposed.

The rank of the officer charged.

The gender of the officer charged.

The perceived community background of the officer charged.

Request F-2010-02774

Since the inception of the Police Service of Northern Ireland and in particular the participation of Chief Supt Michael Skuce in disciplinary panels. Would you please answer the following questions:

How many Disciplinary Panels has Chief Supt Michael Skuce participated in?

The dates of the panels.

The charges preferred at the panels.

The sanctions imposed.

The rank of the officer charged.

The gender of the officer charged.

The perceived community background of the officer charged.

Answer

Section 17 (5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states the fact.

PSNI Professional Standards Department is responsible for internal discipline within the organisation and therefore holds relevant data in relation to officers involved in disciplinary proceedings. It is estimated that there have been in excess of four hundred and forty hearings since the inception of the PSNI. It is further estimated that to locate, retrieve, and extract the requested information in relation to dates of hearings, charges preferred, sanctions imposed, rank, and gender of the officer charged, would take around thirty hours (4 minutes per hearing). Therefore the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the case has therefore been closed.

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.

In compliance with Section 16 of the Act, Duty to Assist, I can advise you that as a method of refinement Professional Standards Department can supply (subject to any exemptions that may apply) the information outlined in your requests for the time-frame 1st January 2005 to 20th October 2010.

If you have any queries regarding your request or the decision please do not hesitate to contact the Freedom of Information Team on 028 9070 0164.

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.psnj.police.uk