



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-01532

Keyword: Complaints/Discipline

Subject: Police Found Unlawfully in Possession of Police Exhibits.

Request and Answer:

Question

The number of Serving Police Officers within the PSNI who have been found unlawfully in possession of Police exhibits, which are ready for disposal orders (ie not registered in the Special Property Register) and what the subsequent outcome of disciplinary actions have been taken against these Officers.

Could you please also include rank?

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (PSNI), 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 that fact.

The information you requested is not held centrally within the Police Service of Northern Ireland. The PSNI's Professional Standards Department have advised that they hold no information in relation to officers who have been found unlawfully in possession of police exhibits which are ready for disposal orders (ie not registered in the Special Property Register).

Therefore Human Resources Managers in each of our eight District Command Units had to be contacted in an attempt to retrieve any available information.

I would like to draw your attention to the fact that there is no standardised way to collate the requested information within different Districts which is why some managers may be able to retrieve the information and provide a response within the time permitted under FOI Legislation and other managers would have to carry out prolonged manual searches. One District alone has advised that to locate, retrieve and extract the information would take an estimated 12 hours.

Therefore it is estimated that 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 (18 hours).

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request 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'. It may be possible to retrieve the requested information for a specified District or Districts. Alternatively, the Professional Standards Department have advised that they may be able to provide the number of police officers who have been disciplined in the last five years for not registering exhibits in the Special Property register.

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.

If you have any queries regarding your request or this 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.

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.