



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-03355

Keyword: Complaints/Discipline

Subject: Unlawful Or Improper Disclosure Of Confidential Information

Request and Answer:

Question

How many PSNI officers have been investigated for the alleged unlawful or improper disclosure of confidential information?

How many PSNI officers have been prosecuted or faced disciplinary charges in relation to the unlawful or improper disclosure of confidential information?

How many PSNI officers have been convicted (in court) or found guilty at disciplinary hearings of the improper disclosure of confidential information?

How many of such investigations have related to the alleged disclosure of details contained in statements made to the PSNI under caution?

What have been the penalties imposed on officers found guilty of disclosing confidential information?

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 that fact.

Professional Standards Department is responsible for internal discipline and therefore holds data in relation to police officers who are alleged to have disclosed confidential information. However, specific details on whether as a result of an investigation, police officers were charged with an offence are not recorded centrally, or as a matter of routine within the Department. Whilst some information may be available, this would have to be extracted manually from within the covers of a minimum of 1500 investigation files for the time period requested.

It is estimated that it would take almost 125 hours to retrieve and extract the information from these files and therefore massively exceed the "appropriate costs limit" under Section 12 (1) of the Freedom of Information 2000, which is currently set by the Secretary of State at £450, at the rate of £25 per hour.

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.

Under our Section 16 duty to provide advice and assistance I can advise the PSNI is governed by the Police Service of Northern Ireland (Conduct) (Amendment) Regulations 2008 – regulation 2. This can be viewed at www.opsi.gov.uk. The standards set out in these Regulations are replicated into the PSNI Code of Ethical Standards Required of Police Officers. Article 3 'Privacy and Confidentiality' of this code outlines the standards expected regarding gathering, retaining, using, and disclosing information. The current PSNI Code of Ethics may be viewed by visiting the website www.psni.police.uk/code_of_ethics_2008.

Subject to any exemptions that may apply, PSNI Professional Standards Department can supply details of police officers investigated under Article 3 'Privacy and Confidentiality', if these officers faced criminal or disciplinary charges and if a criminal conviction or disciplinary sanctions were imposed. This information would cover the period 1st January 2007 to 30th November 2010.

You may wish to submit a refined request as mentioned above 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.

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.