



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F 2010 00155

Keyword: Crime

Subject: ATM Thefts

Request and Answer:

I write in connection with your request for information dated January 19th 2010 which was received by the Police Service of Northern Ireland (PSNI) on January 19th 2010 concerning:

Could I have the following under Freedom of Information?

1. Amount of cash stolen in ATM robberies last year from January 1 2009 to December 31 2009. These are ATM robberies where diggers are used.
2. Amount of cash stolen in ATM robberies from January 1 2010 to January 18 2020. These are ATM robberies where diggers are used.

I have today decided to:

- Fully exempt the information pursuant to the provisions within Section 30 and Section 43 of the Act as follows.

Section 17(1) of the Freedom of Information Act 2000 requires the PSNI, 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.

Qualified Exemptions

Section 30 Investigations and Proceedings Conducted by Public Authorities (1) (a) (b) (c)

Section 43 Commercial Interests (2)

HARM

The essence of the work undertaken by the PSNI is to protect both individuals and society as a whole.

Crime Operations Department PSNI is entrusted with a considerable amount of information. It has an important role in countering the many threats against society.

PSNI consider that the danger to individuals should this information be released can be equated to a criminal having prior knowledge of the amount of money stolen in each individual incident, this would make all machines seem an attractive target with an increased risk of copy cat attacks. Operations, which could have been successful, could be compromised and any individual/business could potentially be affected and made a victim(s).

It is also believed that there would be no benefit to either the local community or the wider public by releasing this type of information.

Section 30 (1) - A public authority is exempt from the duty to communicate information where that information has, at any time been held for the purposes of any investigation, which the public authority has a duty to conduct.

Section 43 (2) - Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice commercial interests of any person including the public authority holding it.

Consideration has been given to the likelihood that the release of this information would prejudice commercial interests. Whilst it cannot be evidenced that this is a definite factor, as the evidence of harm is largely based on future consequence, it is considered that there is substantial and significant risk that commercial interests would be likely to be prejudiced. PSNI consider that the information you have requested is commercially confidential, as it may provide another commercial body or criminals with information that may be used in future.

Public Interest Test

Section 30 Investigations and Proceedings Conducted by Public Authorities

Non-disclosure

An investigation would be prejudiced.

The PSNI's future law enforcement capabilities could be affected.

Hinder the prevention or detection of crime.

Undermine the partnership approach to investigations as well as the future law enforcement role of the PSNI.

Disclosure

Use of public funds.

The investigations are of local interest.

Section 43 Commercial Interests

Non disclosure

PSNI do not release information when 3rd party interests might be jeopardised if it relates to sensitive commercial information held about business, financial, contractual or operational issues.

In circumstances where the service is under a legal obligation to maintain commercial confidences, it would not be in the public interest to release the information if the grounds for this duty can be shown to be valid.

Disclosure

To satisfy the media and public interest

Where the release of information would contribute to the quality and accuracy of public debate.

Balancing Test

The PSNI must always consider whether the release of the information is in the public interest. Any possible prejudice caused by disclosure must be weighed against the likely benefit to the applicant and the wider public. Disclosing commercially sensitive information could also have a detrimental effect on the ongoing investigations regarding stolen ATM machines.

Therefore, I have decided that the reasons for withholding this information is greater than the public interest to release.

The Police Service is aware of the concern, distress and disruption that the recent thefts and attempted thefts of ATMs has caused throughout the business community.

Police are following a number of definite lines of enquiry and a senior officer has been appointed to lead and co-ordinate the PSNI response to this series of crimes. Crime Prevention officers are liaising closely with members of the banking industry to identify ways to reduce the risk of theft of these type of machines. Officers are also working alongside the business and construction community to increase security of premises and develop preventative measures.

Again, we would encourage anyone with any information, no matter how small, to come forward. Officers are taking these crimes extremely seriously and wish to reassure business owners and staff that they are wholly committed to working with their partners towards putting an end to these crimes and bring those responsible before the courts.

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.

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.