



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F 2010 01038

Keyword: Crime

Subject: CHIS PAYMENTS 2009/2010

Request and Answer:

Request

I would be very grateful if you could supply me with the following information:

The total cost of payments to Covert Human Intelligence Sources for the financial year of April 2009 to April 2010.

Answer

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested.

The total amount paid to Covert Human Intelligence Sources (CHIS) from 1st April 2009 to 31st March 2010 is £405,115.

The use of CHIS by the police service is well known and is governed by the Regulation of Investigatory Powers Act, 2000. In relation to your request, PSNI can disclose that the above amount is recorded as being spent by PSNI on the obtaining of information to combat crime.

The above amounts do not include any payments made to CHIS where funding may have been supplied by exempt bodies.

In relation to any additional information, this notice acts as a refusal notice, under the provisions of Section 17(1) of the Freedom of information Act 2000, by virtue of the listed exemptions Section 23 Information supplied by, or relating to, bodies dealing with security matters and Section 24 National Security.

The PSNI works in partnership with other agencies in order to combat issues such as terrorism and organised crime. As such, funding may sometimes be provided by bodies listed at section 23(3).

In this case, I am unable to confirm or deny whether such funding has been provided to PSNI within the time periods specified above, by virtue of section 23(5) and 24(2) of the act.

Section 23(5) is an absolute exemption and does not require the public interest to be considered. This should not be taken as confirmation or denial that PSNI did or did not receive such funding

during the time period specified by your request.

Section 24(2) is a qualified exemption which means I am required to conduct a public interest test in relation to their usage in neither confirming nor denying the existence of any additional information.

Public Interest Test.

Sec 24(2) National Security

Factors favouring confirmation or denial:

Transparency from public bodies in all areas of business.

Factors not favouring confirmation or denial:

Routine confirmation or denial would place operational capabilities at risk as there are terrorists who would still act on such information jeopardising the security or infrastructure of the United Kingdom.

Balance Test:

I am obliged to weigh up the above factors in order to determine whether the public interest lies in maintaining a neither confirm nor deny stance. In this case, the public benefit in being more aware is outweighed by the potential risk to operational capabilities.

The PSNI has therefore determined that in all the circumstances of the case the public interest in maintaining the exclusion of the duty to neither confirm nor deny outweighs the public interest in confirming whether or not information is held.

However, this should not be taken as conclusive evidence that the information you requested exists or does not exist.

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.