



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-00638

Keyword: Finance

Subject: Homes Mistakenly Broken Into During Police Raids

Request and Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested and the answer to your question is as follows:

Question 1

How many homes have mistakenly been broken into during police raids in 2007, 2008, 2009 and so far in 2010?

For each could you please indicate the method of entering the property (broke down the door/ smashed window etc) and what the cost of repairing the damage/compensation was.

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.

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.

Our Legal Services Department deals with claims from members of the public alleging damage to property as a result of police searches. The necessity for these searches can vary - to apprehend a suspect, looking for drugs, stolen property, concern for resident etc. Due to the fact that Legal Services database does not distinguish between different types of searches and considering all police searches as a 'raid' we have based our estimate on checking all claims for homes searched. To establish if, during a police search, the house was mistakenly entered and the method of entry, each file would have to be located and manually trawled. To retrieve this information would take approximately 13.5 hours for each year plus 3.5 hours for 2010, which totals 44 hours, which far exceeds the appropriate limit set by the Secretary of State of 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'. 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.

Under Section 16 of the Act we have a duty to provide advice and assistance and should you consider submitting a refined request I can advise that to keep the cost within the £450 ceiling the Police Service of Northern Ireland can supply the information if the time scale involved were to be reduced to a period of 1 year or less. It should be noted however, that Legal Services Department can only comment on claims they have received. They cannot answer how many homes have been mistakenly broken into during police searches just those who have claimed reimbursement for damage.

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.