



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-03477

Keyword: Finance

Subject: SAVER/NAVER - Follow On From F-2010-03096

Request and Answer:

Your request for information has now been considered and the decision has been taken not to supply the information you have requested.

Question

Follow on request from F-2010-03096

Thank you for your reply to Fol request F-2010-03096 and confirmation of the £20,000 award to victims' group SAVER/NAVER under Policing With The Community.

I would further like to request, under Freedom of Information, the following:

1. All documentation related to this application for funding by SAVER/NAVER: including SAVER/NAVER's request for funds, any application forms from SAVER/NAVER and any correspondence with SAVER/NAVER sent by PSNI/Policing With The Community.
2. All documentation relating to the confirmation of the granting of the award, including: any letter of offer/contract from the PSNI/Policing with the Community, detailing what the money was for and the terms of the grant.

Answer

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, 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.

The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 30 (1) (a) - Investigations and Proceedings

Pursuant to the provisions of Section 30 of the Freedom of Information Act 2000 it has been decided to refuse access to the information you have requested. Section 30 is a class based, qualified exemption which means that the legislators have identified that the public interest considerations need to be evidenced and articulated to the applicant. These are set out below.

Section 30 Factors Favouring Disclosure

Disclosure of the requested information would promote public trust in providing transparency, demonstrating openness and accountability with regard to spending of Policing with the Community Funds. It could allow the public to be satisfied that the spending of public money is appropriately documented and give them a better understanding of the decision making process.

Section 30 Factors Favouring Non – Disclosure

Disclosure of the requested information would be likely to prejudice the current ongoing criminal investigation into SAVER/NAVER for offences relating to the acquisition of this funding. This could lead to a collapse of the investigation or undermine an individual's right to a fair trial. It would not be in the public interest to release information in relation to an unresolved investigation as this may prevent or hinder the investigation and regulatory enforcement.

Decision

The PSNI will not divulge information if to do so would adversely affect an ongoing investigation. Whilst there is a public interest in the transparency of the PSNI's spending of public money and providing better awareness and understanding of Policing with the Community Funding and the procedures involved, there is a strong public interest in safeguarding the integrity of police investigations.

It is therefore my opinion that the information you have requested is held by the PSNI for the purposes of this particular investigation and should not be disclosed at this time.

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.psnj.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.