



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2010-01294

**Keyword:** Operational Policing

**Subject:** Investigations Into Intermediary/Independent Funding Bodies

### Request and Answer:

#### Question

I would like to request details regarding PEACE I, PEACE II, PEACE III and INTERREG funded programmes that have been reported to, or investigated by, the PSNI, and in which cases irregularities were uncovered. I have been able to find some statistics regarding PEACE I from the Lords Hansard Written Answers Text for 15 July 2003 available online, but would like to know the same for the funding programmes since then and, also, what the PSNI's findings were in each specific instance.

Furthermore, could you tell me if the PSNI has been called to investigate at any point the so-called Intermediary/Independent Funding Bodies assigned to implement these programmes? For PEACE I these consisted of ADM/CPA, Community Relations Council, Co-operation Ireland, EGSA, Northern Ireland Pre-school Playgroups Assoc., NIVT (also the Community Foundation Northern Ireland), Playboard, Proteus, Rural Development Network, Rural Development Council, the Training for Women Network and Youthnet.

I am a PhD student in Contemporary Irish Political History looking at the disarmament, demobilisation and reintegration of former paramilitaries and ex-prisoners. As part of this research I am researching the role of the voluntary and community sector in the peace process. Organisations in this sector have been very reluctant to provide me with any information at all, so I have been contacting various public bodies to obtain more information about their role and interaction and would greatly appreciate the above information from the PSNI.

#### Answer

In accordance with the Act, this letter represents a Refusal Notice for this particular request. The Police Service of Northern Ireland (PSNI) can neither confirm nor deny that it holds the information you have requested.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in the request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

Where exemptions are relied upon Section 17 of FOIA requires that we provide the applicant with a notice which

- a) states that fact,
- b) specifies the exemption(s) in question and
- c) states (if that would not otherwise be apparent) why the exemption applies.

The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds the information relevant to your request as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions :

#### Section 30(3) – Investigations and proceedings

Section 30 is a class based qualified exemption and consideration must be given as to whether there is a public interest in neither confirming nor denying the information exists is the appropriate response.

#### Overall Harm in Confirming or Denying whether Information is held

Modern-day policing is intelligence led, and intelligence changes on a day-by-day basis. Disclosures under the Freedom of Information Act are disclosures to the world, not just to the individual making the request. By confirming or denying that funding bodies had or had not been investigated would confirm that an investigation had taken place. This would indicate to any potential offender/s of a crime whether the police were aware of his activities or not.

Factors favouring confirmation or denial for S30 – By confirming or denying the PSNI had investigated any bodies would have high profile media and public interest connotations and the public is entitled to know what investigations public funds are spent on.

Factors against confirmation or denial for S30 –By confirming or denying the PSNI had investigated any bodies would hinder the prevention or detection of crime, as an investigation would be prejudiced.

#### Balance test

The PSNI is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The PSNI will not divulge whether information is or is not held if to do so would adversely affect these important roles. Whilst there is a public interest in the transparency of policing operations and providing assurance that the PSNI is appropriately and effectively dealing with crime, there is a strong public interest in safeguarding the integrity of police investigations and operations.

It is therefore my opinion that for these issues the balancing test for confirming or not that information is held, is not made out.

No inference can be taken from this refusal that the information you have requested does 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](mailto: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.psnipolice.uk](http://www.psnipolice.uk)

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