



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-02883

Keyword: Operational Policing

Subject: Calls Received From The Old Inn, Crawfordsburn

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have decided to disclose a summary of the requested information pursuant to the provisions of Sections 30 and 40 of the Freedom of Information Act 2000 (the Act)

Question

Would be very grateful if you would furnish us with full details of each and every call you have received from The Old Inn, Crawfordsburn for police assistance within the last five years.

We require details of the date, time and nature of each call and whether any police presence was required. If a police presence was required, we would be grateful if you would confirm full details of the officers who attended and the outcome of same.

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

Section 40(2) and 40(3)(a)(i) – Personal Information

Section 30 is a class based exemption which means that if the information is of the type referred to within the exemption then the exemption applies to it without any consideration of the harm. It is also a qualified exemption which means that a public interest test must be carried out.

An investigation would have been commenced in relation to many of the calls received from the Old Inn, and they are therefore subject to this exemption.

Section 40 is a class based exemption and in these circumstances absolute, which means that there is no requirement for a public authority to consider the harm that may be caused by release or carry out a public interest test.

Section 40 has been considered because the level of detail requested would mean that it is likely that at least some of the individuals to whom the information relates would be identifiable either by the data controller or by any other person and release of the information at this level of detail would constitute a breach of the Data Protection Principles or be unlawful or unfair to the individuals. These considerations are relevant because any release of information under the Act is a release into the public domain and not just to an individual, no matter what the purpose of the request.

Public Interest Test - Section 30

Factors Favouring Release

There is a public interest in transparency and accountability in ensuring that investigations are properly conducted and that a prosecution has not collapsed because of procedural failure or mismanagement.

All police investigations will involve the use of public funds and where this is the case there is always a public interest in ensuring that those funds used unnecessarily or unwisely.

Factors Favouring Retention

An investigation may be prejudiced by premature release of information resulting in loss of evidence or alerting a suspect.

The right to a fair trial may be undermined by premature release of information resulting in trial by media.

Decision

The issue of accountability in ensuring that investigations are properly conducted is, to a large extent addressed by accountability measures already in place, eg., the Code of Ethics and the Office of the Police Ombudsman for Northern Ireland.

I am satisfied that where an investigation has commenced, that the public interest factors favouring retention will outweigh those favouring release as the interests in accountability can rarely defeat the interests in a fair investigation and trial.

The result is that some of the incidents will be subject to the exemption under **Section 30** of the Act. Those that are subject to this exemption will also be subject to **Section 40**. There are additional further incidents where only Section 40 is applicable.

Rather than applying redaction to those specific incidents where exemptions apply I am satisfied that the public interest in this matter would be satisfied, taking into consideration the balance of fairness to individuals concerned and the potential for prejudice being caused to investigations, by banding the incidents to an annual level and summarising some of the description details.

For the banded, summarised information released in response to this request please see the table below.

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.

| Incident Date | Description | Outcome |
|----------------------------------------|------------------------------------------------------|-----------------------------------------|
| 2005 - 2006 | Disorderly wedding guests | People had left prior to police arrival |
| | Not recorded | Moved vehicle on - no obstruction |
| | Disturbance outside | People moved on |
| | Hit and Run RTC in the car park | Damage noted |
| | Noisy guests refusing to leave | Two arrests for disorderly behaviour |
| 2007 | Car in the car park with accident damage | Non reportable accident |
| | Handbag stolen | Enquiries contuining |
| | Customer, intoxicated and refusing to leave | Male left prior to police arrival |
| | Theft of camera | Enquiries contuining |
| | Male banging at the door | One male moved on |
| | Possible confrontation | All left in taxi - no complaints |
| | Abusive phone call | For info only |
| | Damage caused by guests | No damage, no crime disclosed |
| | Disturbance | One male apologised |
| 2008 | Males refusing to leave | Phoned back - no need for police |
| | Theft of a television from a room | Enquiries contuining |
| | Loud music outside | Music turned down |
| | Report of assault | Enquiries contuining |
| | Hit and Run RTC in the car park | Damage noted |
| | Disturbance outside | Moved on - no offences |
| | Vehicle acting suspiciously | For passing attention |
| | Not recorded | Not recorded |
| | Possible prowler at the rear | Area checked - all regular |
| | Report of assault | Verbal exchange. For information only |
| | Report of assault | One arrest made |
| | Suspicious activity | Passing attention to be given |
| | A male acting suspiciously in the car park | Enquiries contuining |
| 2009 | Report of theft | Enquiries contuining |
| | Parking problem on the road outside | No offendced detected |
| | Customer failed to pay for a meal | Advised that this is a civil matter |
| | Males, threatening staff and refusing to leave | Males had left prior to police arrival |
| | Damage to vehicle in the car park | Enquiries contuining |
| | Suspicious vehicle | Vehicle checked out, all regular |
| | Female has arrived, intoxicated. Request assistance. | Got a taxi away from hotel |
| | Trouble with a patron. Request assistance | Person went back to bed, no complaints |
| | Domestic disturbance between guests. | One arrest |
| | Cheques returned. Suspect fraud. | Enquiries contuining |
| | Nuisance phone calls received | Enquiries contuining |
| | Suspiciouss vehicle | Vehicle checked out, all regular |
| | 2010 | Suspicious vehicle |
| Not recorded | | Not recorded |
| Dispute re bill | | Bill payed |
| Missing persons found | | Matter resolved |
| Hit and run RTC | | Enquiries contuining |
| Vehicle causing obstruction | | Advised that this is a civil matter |
| Person refusing to leave. Intoxicated. | | One arrest |
| Disturbance outside | | Area checked - all regular |
| Problem with a resident. | | One arrest |