



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-00307

Keyword: Complaints/Discipline

Subject: Improper Or Inappropriate Use Of Force Internet Data Systems

Request and Answer:

Question

How many (a) police officers and (b) police staff were disciplined in 2009 and 2010 for improper or inappropriate use of Force internet/data systems?

Please provide for each incident a brief description, which should include (i) the month of the incident, (ii) the nature of the offence or breach of force policy, (iii) if the person was an officer or a member or civilian staff and (iv) how the matter was resolved, i.e. written warning, sacked etc. If any person was disciplined for using an inappropriate website please provide me with the web address.

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (PSNI), 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.

With regard to Police Officers the PSNI Professional Standards Department have advised that in 2010 they acquired NICHE, a computer system that is used service-wide to record crime and occurrences. Prior to 2010 PSD used a bespoke internal computer system which allowed for a more efficient interrogation of PSD investigations and statistics. There are around 1300 closed investigations for 2009 and 2010 and allowing 1 minute per entry in an attempt to determine if the file may relate to this request would equate to approximately 22 hours taking the request over the appropriate cost limit even before the information is extracted.

Information about Police Staff is not held centrally within the PSNI and to retrieve this would require a manual search of staff's personal records. Owing to the size of districts and numbers of staff 2 districts alone have advised this would take some 20 hours to provide any response. This estimate added to that for Police Officers is well in excess of the 18 hours permitted under the Act.

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'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit which owing to the way information is held is not possible for Support Staff.

Professional Standards Department have advised that they categorise investigations by breach of the PSNI Code of Ethics and could provide information regarding officers who were disciplined for breach of Article 3 Privacy and Confidentiality in 2009 and 2010.

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.

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.