



FREEDOM OF INFORMATION REQUEST



Request Number: F 2011 02597

Keyword: Crime

Subject: ATM Robberies and Attempted Robberies

Request and Answer:

Please could I have the following information under Freedom of Information

Question 1

The number of ATM robberies and attempted robberies from January 1 2007 to December 31 2007

Question 2

The number of ATM robberies and attempted robberies from January 1 2008 to December 31 2008

Question 3

The number of ATM robberies and attempted robberies from January 1 2009 to December 31 2009

Question 4

The number of ATM robberies and attempted robberies from January 1 2010 to December 31 2010

Question 5

The number of ATM robberies and attempted robberies from January 1 2011 to present.

Question 6

Please can I find out where these robberies and attempted robberies took place during these particular years?

Question 7

The amount of cash stolen in ATM robberies from January 1 2007 to December 31 2007.

Question 8

The amount of cash stolen in ATM robberies from January 1 2008 to December 31 2008.

Question 9

The amount of cash stolen in ATM robberies from January 1 2009 to December 31 2009.

Question 10

The amount of cash stolen in ATM robberies from January 1 2010 to December 31 2010

Question 11

The amount of cash stolen in ATM robberies from January 1 2011 to present.

Question 12

Please can I also have a break-down of the number of people arrested and charged for the ATM robberies and attempted robberies in the above years?

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

I have today decided to disclose information in response to questions 1, 2, 3, 4, 5, 6 and 12 to you and fully exempt information in response to questions 7, 8, 9,10 and 11 pursuant to the provisions of Section 30 (1) (a) (b) (c) (Investigations) and Section 43 (2) (Commercial Interests) of the Act.

Answers to questions 1 and 2

No information held.

Answer to question 3

21

Answer to question 4

3

Answer to question 5

3

Answer to question 6

2009 –

B District 1

C District 2

D District 1

E District 5

F District 9

H District 3

2010

E District 2

F District 1

2011

D District 1

F District 1

G District 1

Answer to question 12

2007 - 2

2009 - 6

2010 - 0

2011 - 5

Response in relation to questions 7,8,9,10 and 11

Section 17 (4) of the Freedom of Information Act 2000 requires the PSNI, 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 exemptions, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Qualified Exemptions

Section 30 Investigations and Proceedings Conducted by Public Authorities (1) (a) (b) (c)

Section 43 Commercial Interests (2)

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. However, Section 43(2) is a prejudice based qualified exemption which means that the legislators have identified that the harm (prejudice) in disclosure as well as the public interest considerations need to be evidenced and articulated to the applicant.

HARM

Firstly, I would like to explain that information released under FOI is released to the world, via the PSNI website, and not just to you the individual.

The essence of the work undertaken by the PSNI is to protect both individuals and society as a whole. The PSNI is entrusted with a considerable amount of information, in this case relating to the amount of cash stolen in ATM robberies, and has an important role in countering the many threats against society.

PSNI consider that the release of the information in relation to the amount of cash stolen in ATM robberies could pose a danger to individuals as it can equate to a criminal having prior knowledge of the amount of money stolen in each individual incident, this would make all machines seem an attractive target with an increased risk of copy cat attacks. Operations, which could have been successful, could be compromised and any individual/business could potentially be affected and made a victim(s).

It is also believed that there would be no benefit to either the local community or the wider public by releasing this type of information.

Section 30 (1) - A public authority is exempt from the duty to communicate information where that information has, at any time been held for the purposes of any investigation, which the public authority has a duty to conduct.

Section 43 (2) - Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice commercial interests of any person including the public authority holding it.

Consideration has been given to the likelihood that the release of this information would prejudice commercial interests. Whilst it cannot be evidenced that this is a definite factor, as the evidence of harm is largely based on future consequence, it is considered that there is substantial and significant risk that commercial interests would be likely to be prejudiced. PSNI consider that the information you have requested is commercially confidential, as it may provide another commercial body or criminals with information that may be used in future.

Public Interest Test

Section 30 (1) (a) (b) (c) Investigation - Factors favouring disclosure

The public have an interest in knowing how the PSNI use public funds in relation to this type of crime additionally, the public could also be interested in investigations which are of local interest.

Section 30 (1) (a) (b) (c) Investigation - Factors favouring non disclosure

The release of this information in relation to the amount of cash stolen in ATM robberies would undermine the partnership approach to investigations as well as the future law enforcement role of the PSNI. Release of the information could prejudice an investigation/s and the PSNI's future law enforcement capabilities could be affected which would hinder the prevention or detection of crime.

Section 43 (2) Commercial Interests – Factors favouring disclosure

Release the requested information in relation to questions 7, 8, 9,10 and 11 could satisfy the media and public interest in relation to the amount of money stolen from ATM machines and this in turn would contribute to the quality and accuracy of public debate.

Section 43 (2) Commercial Interests – Factors favouring non disclosure

PSNI do not release information when 3rd party interests might be jeopardised if it relates to sensitive commercial information held about business, financial, contractual or operational issues.

In circumstances where the service is under a legal obligation to maintain commercial confidences, it would not be in the public interest to release the information if the grounds for this duty can be shown to be valid.

Balancing Test

The PSNI must always consider whether the release of the information is in the public interest. Any possible prejudice caused by disclosure must be weighed against the likely benefit to the applicant and the wider public. Therefore, I have decided that the public interest for non disclosure in relation to investigations and commercial interests is greater than the public interest to release as it may contribute to the quality and accuracy of public debate in relation to the amount of money stolen from ATMs.

The Police Service is aware of the concern, distress and disruption that the recent thefts and attempted thefts of ATMs has caused throughout the business community. Crime Prevention officers are liaising closely with members of the banking industry to identify ways to reduce the risk of theft of these type of machines. Officers are also working alongside the business and construction community to increase security of premises and develop preventative measures.

Again, we would encourage anyone with any information, no matter how small, to come forward. Officers are taking these crimes extremely seriously and wish to reassure business owners and staff that they are wholly committed to working with their partners towards putting an end to these crimes and bring those responsible before the courts.

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.