



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-03810

Keyword: Crime

Subject: Attempted Murder 1999

Request and Answer:

"The PSNI advised that the complainant had made 'numerous' requests to other public authorities on the subject of the attempted murder. The PSNI has been asked to assist some of these authorities in responding to the requests, which had taken up a considerable staff time on the part of several senior members of staff. For example, an officer at the rank of Chief Inspector had spent time dealing with these requests, and the hourly cost for this level of employee could be calculated at £66.37."

Question 1

Who asked the PSNI to 'assist' other authorities in responding to such requests. Please also give full details as to the reason/s for this?

Question 2

Please supply full details of all of the authorities who the PSNI assisted relating to above.

Answer 1 and 2

The Compensation Agency consulted with the PSNI in relation to a FOI request as is required under the S.45 Code of Practice.

Question 3

The PSNI have claimed that; 'several senior members of staff' dealt with above matters, what was the reason for this. Please also explain how many senior members of staff dealt with above?

Answer 3

6 senior members of staff were involved with the requests for information. It is normal practice to have consultation with complex issues to assist with the co-ordination and management of requests.

Question 4

The PSNI also claimed that; "For example, an officer at the rank of Chief Inspector had spent time dealing with these requests, and the hourly cost for this level of employee could be calculated at £66.37." Who was this 'Chief Inspector', why was he dealing with this matter. What was the total cost for the 'Chief Inspector' who dealt with this matter?

Answer 4

The Chief Inspector referred to was the Senior Investigating Officer who assisted with your FOI/DP requests received by PSNI. The total cost for the Chief Inspector who dealt with this matter is not information recorded by PSNI and we are not obliged to collate this information in order to answer a FOI request.

Question 5

Under the FOIA and also all other rights of access please also supply me with copies of all correspondence, including written notes, telephone notes/records, emails, faxes, letters and copies of all other recorded information relating to all contact between the PSNI and all of the above authorities.

Answer 5

There is only one email captured by your request and this is being disclosed to you, subject to some information being withheld under the Section 40 (1) Personal Information.

Section 17(1) 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 exemptions, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 40 (1) Personal Information is an absolute exemption which means there is no requirement on the Public Authority to consider whether there is a public interest in disclosure. This is so because personal data is governed by other law (The Data Protection Act 1998).

It will be obvious to you as the requester that it is in fact your own name which has been redacted out of the email. This is to ensure we do not breach your data protection rights as release of information under the Freedom of Information Act is considered a release into the public domain.

You also asked for information under all other rights of access. Any request for personal data under the rights of access will fall under the Data Protection Act and should you require any further information the following DAT1 web link is available.

<http://www.psni.police.uk/dat.pdf>

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.

From: CLELAND Paul
Sent: 13 December 2010 15:14
To: 'marcella.mcknight@dojni.x.gsi.gov.uk'
Subject: 2.RESTRICTED:: Request from [REDACTED] **s.F40(1)**
Marcella

Thank you for the opportunity to discuss with your staff the documents, which originated from the PSNI and held by the Compensation Agency relevant to [REDACTED]. As mentioned, I am also on the process of dealing with Mr [REDACTED] and due to his specific circumstances there is only one email address that can be used for correspondence with him. This is his choice and he will not provide any other address or location whereby he can be contacted. **s.F40(1)**

I did initially have concern regarding an address or dedicated means to speak with him and also how the PSNI would actually provide him with a response. There may be issues with forwarding any email reply, however Mr [REDACTED] has **clearly specified over recent months that he ONLY wishes to communicate by email** and to that end I sought the authority to respond via electronic mail by the address provided as follows; **s.F40(1)**

[REDACTED] **s.F40(1)**

Therefore in the absence of any other address I am satisfied this email address is suitable.

Regards and happy to discuss

Paul Cleland
PSNI Data Protection Officer
PSNI Headquarters
Brooklyn
[REDACTED]