



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F 2011 00486

Keyword: Crime

Subject: Copy of £245 Million Business Plan

Request and Answer:

The Chief Constable was quoted as saying the following by the BBC in relation to the extra £245 million given to the PSNI.

"After years of change and difficulty, we now have the ability to plan into the long-term and sustain all that is good." He added: "The money will be spent on investigation, on more detectives, on more equipment, transport, air support, in sustaining our street presence in neighbourhoods.

"All those things are built into a very complex and very thorough business plan, but this will keep the momentum going"

Question 1

Can you provide me with a copy of the very complex and very thorough business plan for the use of the £245 million given to the PSNI?

Answer

Your request for information has now been considered and the decision has been taken not to supply the information you have requested.

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:

Absolute

Section 23 (1) Information Supplied by or relating to Security Bodies

Qualified

Section 24 (1) National Security

Section 31 (1) (a) (b) (c) Law Enforcement

Section 38 Health and Safety (1) (a)(b)

Section 23 is an absolute exemption and does not require the public interest to be considered.

Sections 24, 31 and 38 are prejudice based qualified exemptions 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

The essence of the work undertaken by the PSNI is to protect both individuals and society as a whole.

The requested information held regarding the business case relates directly to law enforcement, health and safety and national security. It contains detail about operational methodology, methods of law enforcement and intelligence assessment etc. PSNI officers could be put at risk by the release of such detail, and PSNI's ability to enforce the law within an article 2 framework could be hindered i.e. maximising risk to officers. The PSNI's ability to protect the community who are at risk from the current Dissident threat, could also be negatively impacted by the release of the requested information.

Operational procedures, methodology and tactics must be protected by the correct application of exemptions. This is because the release of this type of information would rarely be in the Public Interest and may reduce the PSNI's capability to perform its overall functions under the Police (NI) Act 2000, which states: "It shall be the general duty of police officers –

(a) to protect life and property;

(b) to preserve order;

(c) to prevent the commission of offences;

(d) where an offence has been committed, to take measures to bring the offender to justice."

Additional security funding for PSNI to tackle terrorism will provide PSNI with the opportunity to plan effective strategies against the security threat. As stated previously, to release details of the business plan would have a negative impact on security, law enforcement and health and safety.

Public Interest Test

The public interest test is as follows: -

Section 24 National Security

Factors favouring disclosure

The release of the requested information could provide a better understanding of how public funds are spent in relation to national security and could enable the public to make more informed judgements concerning how effectively PSNI use the additional funding.

Factors favouring non-disclosure

The risk of harm to the public would increase as already outlined above in the HARM. Release of the requested information could impact on national security in reducing the ability and manner in which the PSNI would be able to effectively protect the safety and well being of its community.

Section 31 Law Enforcement

Factors favouring disclosure

Disclosure could promote public trust in providing transparency, demonstrating openness and accountability. This could satisfy the public that public funds were being used effectively and appropriately particularly in relation to crime detection.

Factors favouring non-disclosure

The Police Service has a duty to deliver effective law enforcement ensuring the prevention and detection of crime, apprehension or prosecution of offenders and administration of justice is carried out appropriately. Release of the requested information would compromise effective law enforcement issues.

Section 38 Health and Safety

Factors favouring disclosure

The public are entitled to know what areas of criminal activity the police service allocate public funds to therefore by disclosing this information, would lead to better informed public awareness and debate. Disclosure of the information would also assist communities to be more aware of the level of protection afforded to them.

Factors favouring non-disclosure

Public safety is of paramount importance to the PSNI and must always be considered so that the PSNI's ability to fulfil its core function of law enforcement is protected. PSNI would not wish to endanger the health and safety of any individual by causing them distress or anxiety. The PSNI has a duty of care to the community we serve and to release information which could lead to an individual's safety being jeopardised would result in a loss of confidence in the way information is used. The threat level for Irish related terrorism is set separately for Northern Ireland and Great Britain. In Northern Ireland it is SEVERE and in Great Britain, SUBSTANTIAL.

Balancing Test

On balance it is not in the public interest to release this information.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and therefore this part of your request has therefore been closed.

Section 16 Advice and Assistance

The following information may be of assistance to you:-

PSNI Chief Constable, Matt Baggott had through the Minister of Justice, David Ford requested the extra funding in October, 2010, following a rise in sectarian violence across the country.

The UK Government will provide £199.5 million while the Northern Ireland Executive has offered to provide an extra £45 million for security over the next four years. This is to protect the community and to tackle the threat from terrorism over the next four years. The funding will be staggered over four years; the PSNI will receive £57.1 million in 2011/12, £53.3 million in 2012-13, £62.4 million in 2013-14 and £26.7 million in the last year. The additional funding is honouring the agreement reached on the devolution of policing and justice and going beyond it by agreeing an additional £199.5m over the next four years. This is being done despite the unprecedented pressures on the public finances.

The Chief Constable will decide on an operational basis how to use the extra £244.5 million. The spend will cover a variety of areas i.e. to help it fight domestic terrorism by employing additional officers, pay for additional police overtime, purchase of armoured vehicles and a new helicopter etc.

The following is the PSNI press release in relation to this issue:-

Chief Constable Matt Baggott;

“I welcome yesterday’s announcement. The availability of this specific funding will ensure that the Police Service of Northern Ireland has the operational capability to protect our communities from serious harm. I am grateful for the support provided by the Minister of Justice, Northern Ireland Executive, the Prime Minister, Chancellor and the Secretary of State for Northern Ireland, in acknowledging our unique position. Policing here is delivering positive results, and is essential to future investment, the well being of young people and to creating a more confident Northern Ireland.

“In gaining access to this funding, which is a continuation of the commitment shown by Government over the past 2 years, PSNI, will be able to further develop the community based policing service that people need, while maintaining the momentum of our effort against those who are determined to take Northern Ireland back to the past. Compared to June 2009, we have 604 additional officers in neighbourhood and response policing, crime in January was the lowest monthly total recorded since 1998, road deaths are down by half and confidence in the PSNI is rising. This is the good that policing delivers and that must be maintained. Throughout, we will continue to work closely with our colleagues in An Garda Síochána.

“It is important to stress that the PSNI is not immune to the challenging times that are ahead. Within our main grant budget, we will be expected to deliver efficiencies of £135m over the next 4 years. I am confident that this will be achieved through reform, modernisation, and with no loss to this welcome improvements in our operational capability.

“Above all, our commitment to protecting local communities from harm will remain.”

If you have any queries regarding your request or the decision please do not hesitate to contact 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.