



FREEDOM OF INFORMATION REQUEST



Request Number: F 2011 01289

Keyword: Crime

Subject: CCTV Cameras

Request and Answer:

Under FOI legislation, I am requesting the following information:

Question 1

Are PSNI solely responsible for the operation of the CCTV cameras?

Question 2

What information is being collected by these cameras? By that I mean is it vehicular information only, or is personal information about the driver or vehicle owner recorded or processed?

Question 3

Is information collected about every vehicle which passes these cameras, or just those vehicles which are, or may be, committing a traffic violation or road user related offence?

Question 4

What is the specific purpose for which the information is being collected?

Question 5

Is the information purely photographic in nature?

Question 6

How is the information recorded? By that I mean what medium, or any combination of media, is used, e.g. computer, paper, DVD, pen drive or any other device?

Question 7

Is it possible to identify the driver or occupants of vehicles from the photographs?

Question 8

For how long are the photographs held?

Question 9

How are the photographs disposed of?

Question 10

Who has access to this information within PSNI? By that I mean are the images available to any police officer in the course of his duty, or is access restricted to certain individuals?

Question 11

Is the information shared with any other individuals or organisations? If so which individuals or organisations?

Question 12

If the answer to 9 (amended to 11) is yes, how is the information transmitted to those individuals or organisations?

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, 4, 8 and 10, and fully exempt information in response to questions 11 and 12 pursuant to the provisions of Sections 23, 24 and 31 of the Act.

Answer 1

PSNI own and are solely responsible for the operation of these cameras

Answer 2

Vehicle registration numbers only are recorded. Read Data is 'Personal Information' as defined by the Data Protection Act , All PSNI Data is stored in accordance with Data Protection Principles and all access to the data is fully audited and recorded with the necessary authority levels.

Answer 3

All vehicles passing cameras are recorded.

Answer 4

The cameras are designed to promote and protect the safety of everyone in the community. Police will use the cameras to discharge their obligation to protect life, to prevent and detect crime and proactively ensure road safety.

The cameras will make a valuable contribution in four key areas:-

- Enhancing the law
- Promoting road safety
- Investigating accidents
- Patrolling roads

Additionally, PSNI will use this law enforcement tool in a lawful and ethical manner and in relation to the prevention and detection of:

- (i) Terrorism;
- (ii) Serious Crime;
- (iii) Volume Crime;
- (iv) Road Traffic Offences.

Answer 5

Data comprises Text Data, a Plate Patch and an Overview Image.

Answer 6

Data is recorded securely via electronic means.

Answer 7

The collection of data and camera setup is such that rarely is any image of sufficient quality to provide identification of vehicle occupants, the identification of vehicle occupants is not what the system is designed or used for. The primary aim and focus is to read the vehicle registration number.

Answer 8

Images are retained in keeping with current ACPO Guidelines.

Answer 9

Images are deleted automatically from the database in keeping with ACPO guidelines.

Answer 10

Only suitably trained and authorised PSNI Staff have access.

In relation to questions 11 and 12 the Police Service of Northern Ireland (PSNI) can neither confirm nor deny that it holds the information you have requested.

The PSNI can neither confirm nor deny that it holds any information relating to questions 11 and 12 as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 23 (5) Information Supplied by, or concerning, certain Security Bodies

Section 24 (2) National Security

Section 31 (3) Law Enforcement

Section 23 is an absolute exemption and therefore I am not required to comment any further.

Sections 24 and 31 are prejudice based qualified exemptions which means I am required to conduct a public interest test in relation to their usage in neither confirming nor denying the existence of any information.

Harm

Disclosures under the Freedom of Information Act are disclosures to the world, not just to the individual making the request. To confirm that information relating to questions 11 and 12 is held, even if that information was exempted, or to confirm no information is held, would provide intelligence to criminals. Even to confirm or deny this level of detail investigations could be hindered thus impacting on the prevention and detection of crime, the safeguarding of national security, apprehension and prosecution of offenders and the administration of justice.

Confirmation or denial would allow criminal/terrorists to carry out their activities with a degree of prior intelligence. Operations, which could have been successful, could be compromised and any individual could potentially be affected and made a victim. Ultimately, confirmation or denial could mean the loss of a valuable tool in the police fight against criminals/terrorists and would seriously jeopardise protecting the community we serve. Confirming or denying would seriously undermine the PSNI's ability to protect the community and place individuals at risk.

Public Interest Test

Sec 24(2) National Security Factors favouring confirmation or denial:

Any confirmation or denial of the requested information in relation to questions 11 and 12 could provide a better understanding of how public funds are spent in relation to CCTV cameras and could enable the public to make more informed judgements concerning how effectively PSNI use their budget in this area.

Sec 24 (2) Factors not favouring confirmation or denial:

Confirmation or denial of the requested information in relation to questions 11 and 12 regarding CCTV cameras etc could be detrimental to any further lines of enquiry that may come to the attention of the PSNI and risk the success of future investigations. This could also 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.

In some cases it is possible that such analyses may be assisted by intelligence supplied by one or more of the bodies listed at section 23(3) of the Act. Sections 23(5) and 24(2) are therefore cited in conjunction to protect the involvement or non-involvement of security bodies.

CCTV is a valuable tool in the fight against crime and terrorism and the threat level in Northern Ireland remains at SEVERE. Dissident republicans have recently murdered a second police officer and also renewed their death threats to all police staff. It is therefore considered that the requested information should not be disclosed.

Section 31 (3) Factors favouring confirmation or denial

The confirmation or denial of information in relation questions 11 and 12 by the PSNI may be of interest to the public. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve and there is a public interest in the transparency of policing operations to ensure investigations are conducted appropriately.

Section 31 (3) Factors not favouring confirmation or denial

Modern-day policing is intelligence led and the Police Service share information with other law enforcement agencies as part of their intelligence gathering process. To confirm or not whether information relating to question 11 and 12 is held by PSNI could hinder the prevention and detection of crime and undermine the partnership approach to law enforcement.

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. To confirm or deny the information in relation to questions 11 and 12 could compromise effective law enforcement issues. It would not be in the public interest to confirm or deny information that may be of assistance to anyone involved in criminal/terrorist activity.

Balancing Test

Irrespective of whether information is or is not held, public safety and the ability to deliver effective law enforcement is of paramount importance to the Police Service. Confirmation or denial of whether information is held would undoubtedly compromise both national security and law enforcement. Therefore, at this moment in time, it is our opinion that for these issues the balancing test for confirming whether or not any information is held by PSNI is upheld.

No inference can be taken from this refusal that the information you have requested does or does not exist.

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.