



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F 2011 00806
Keyword: Crime
Subject: Review of PSNI Fingerprint Branch

Request and Answer:

Within C6 Branch a review was carried out in Fingerprint Branch in relation to pay and grading.

Question 1.

This review has been completed and I would like to view this document.

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

Answer

Section 17 (1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (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 31 (1) (a)(b)(c) Law Enforcement

Section 36 (2) (b) (ii) Disclosure Prejudicing the Effective conduct of Public Affairs

Sections 31 and 36 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 harm in release is that PSNI replies under Freedom of Information are released into the public domain via our website @ www.psnireland.police.uk. Therefore, the release of information under FOIA must be considered a release of information to the world as a whole and not just to you the applicant.

The review is not suitable for public consumption as it provides specific details that could, by release, endanger PSNI's to ability effectively deliver core policing objectives, protect the community and provide a duty of care to PSNI staff.

Section 31 Factors favouring disclosure

Where public funds are being spent, there is a public interest in accountability and justification.

Section 31 Factors not favouring disclosure

The report deals with specific operational and tactical issues within the branch, which if released would prejudice the PSNI's capability to perform efficiently in the future.

Section 36 Factors favouring disclosure

Providing the requested information is in line with the spirit of openness and transparency enshrined within FOI legislation.

Section 36 Factors not favouring disclosure

Internal processes regarding the review of pay and grading must be followed to ensure corporacy throughout the organisation. The review of Crime Operations Department, Scientific Support Branch is ongoing, with the overall report not yet finalised. Some areas of work have still to be completed within Scientific Support Branch i.e. Photography and Mapping. The release of the requested information is premature in light of the above.

It is considered that premature disclosure would inhibit the free and frank exchange of views for the purposes of deliberation.

Balance

Although I can confirm that PSNI does hold information falling within the description specified in your request, I can advise that the review of Crime Operations Department, Scientific Support Branch is still ongoing, with the overall report not yet finalised as other Branches have also to be considered.

This being the current situation and given that the final position has not yet been agreed, I am satisfied that, the Section 31 (1)(a) (b) (c) (i.e. Law Enforcement) and Section 36 (2) (b) (ii) exemption (i.e. Disclosure Prejudicing the Effective conduct of Public Affairs) of the Freedom of Information Act 2000 apply.

Therefore, taking into account the current status of the review, it is my decision that it is not in the public interest to release the information requested at this time.

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.