



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F 2011 00894
Keyword: Crime
Subject: PSNI Helicopter

Request and Answer:

The following queries relate to the use of helicopter support by the PSNI.

Question 1

Could you please provide a full breakdown of costs associated with the use of helicopters by the PSNI over the last year. Including the following:

- a) Maintenance
- b) Fuel
- c) Piloting costs

Question 2

How many helicopters does the PSNI have access to?

Question 3

How much money has the PSNI spent on hiring helicopters from other agencies/persons in the last year

Question 4

How many PSNI employees are trained to pilot a helicopter?

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 (a) (b) (c), 2 and 4 and fully exempt information in response to question 3 pursuant to the provisions of Sections 31(1) (a) (b) (c) and 43 (2) of the Act.

Answer 1 (a)

The maintenance costs for the police helicopters in 2010 were £937,979.57.

Answer 1 (b)

The fuel costs for the police helicopters in 2010 were £301,856.57.

Answer 1 (c)

Salary costs are calculated over a financial year and for 2010/2011 the piloting cost was £331,455.

Answer 2

The PSNI has access to three police helicopters.

Answer 4

PSNI has eight helicopter pilots.

Answer 3

Section 17 (1) 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 31 Law Enforcement (1) (a) (b) (c)

Section 43 Commercial Interests (2)

Section 31 (1) and Section 43 (2) 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.

Release of information under FOIA must be considered a release of information to the world as a whole. It could be argued that it would be in the public interest to demonstrate that the PSNI is actively involved in the prevention and detection of terrorist based and criminal activities by releasing the requested information in relation to question 3. However, the release of this information may adversely affect the efficient and effective conduct of the PSNI. Public safety is of paramount importance to the PSNI and must always be considered. It is not in the public interest to disclose information that may compromise the PSNI's ability to fulfil its core function of law enforcement.

Therefore the operational procedures, methodology and tactics of PSNI 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 –

to protect life and property;

to preserve order;

to prevent the commission of offences;

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

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 31 Law Enforcement

Factors favouring disclosure

The release of information in relation to question 3 by the PSNI may be of interest to the public. The actions of the PSNI, particularly in relation to crime detection require an appropriate application of legislation.

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. They will not reveal detail, no matter how generic, which would compromise effective law enforcement issues.

Section 43 Commercial Interests

Factors favouring Disclosure

Where the release of information would contribute to the quality and accuracy of public debate.

Factors favouring Non disclosure

Damage would occur to commercial interests.

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

I have decided that the reasons for withholding this information is greater than the public interest to release.

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.psnipolice.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.