



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F 2011 00934

Keyword: Crime

Subject: All information held by the PSNI regarding Operation Demetrius

Request and Answer:

Question 1

I wish to make a request under FOI for all information held by the PSNI regarding Operation Demetrius 9 August 1971.

Question 2

I also wish to make a separate request for the arrest list for this operation.

Answer

I have interpreted your request as relating to the policy of internment in Northern Ireland commencing on 9th August 1971. The following response is appropriate in relation to the internal PSNI records held regarding internment.

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (PSNI), when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact. If this cost applies to one or more questions, then it applies to the entire request.

It is estimated that the cost to locate, retrieve and to extract all information or documentation referring to question 1 would require approximately hundreds of paper records to be manually searched on a case by case basis to extract any records relevant to your request. This would be a lengthy exercise and would greatly exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450.

Additionally, in relation to question 2, PSNI do not hold "an arrest list for this operation".

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

Section 16 Advice and Assistance

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including

consideration of relevant Part II exemptions. For your information, such a list is likely to attract Section 40 (2), Personal Information.

In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit.

Unfortunately, due to the reasons already outlined above i.e. approximately hundreds of paper records would need to be manually searched on a case by case basis to extract any records relevant to your request, makes it extremely difficult for the PSNI to advise you how to refine your request to a point below the £450 cost limit. In addition, the fact that records of the time frame you are referring to are hard copy paper documents rather than electronic, only makes the search even more time consuming.

If you have any queries regarding your request or this 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.