



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-03634

Keyword: Human Resources

Subject: Officers on Secondment

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

Question

Follow on from Previous Request F-2011-03197

Please amend the original FOIR to provide, at the very least, at a specific point in each year during the period (eg 31 March/ 1 April), the number of officers on secondment, the locations and the length of detachment.

Answer

Please see the table provided below which details the number of officers on secondment, the locations and the length of detachment on 31st March of each year from 2007 to 2011.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of FOIA requires that we provide the applicant with a notice which: a) states that fact b) specifies the exemption(s) in question and c) state (if that would not otherwise be apparent) why the exemptions apply:

PSNI can neither confirm nor deny whether any further information is held relevant to the request by virtue of Section 23(5) Information supplied by or concerning certain Security Bodies; Section 24(2) National Security; Section 27(4) International Relations; Section 30(3) Investigations and Section 31(3) Law Enforcement.

Section 23(5) is a class based absolute exemption and there is no requirement to articulate the harm to the applicant or consider the public interest and articulate those findings to the applicant.

Section 30(3) is a class based qualified exemption which means the legislators have identified a requirement to consider and articulate the public interest to the applicant.

With Sections 24(2), 27(4) and 31(3) being prejudice based and qualified, the harm (prejudice) in disclosure should be evidenced and the public interest considered, and both articulated to the applicant.

Harm Test

Although there is formal acknowledgement within the public domain which provides statistical data on the number of MPS employees seconded overseas (see link: <http://www.mpa.gov.uk/downloads/committees/cop/cop-040419-04-appendix05.pdf>) in order to counter national and international criminal and terrorist behaviour to ensure effective delivery of operational law enforcement, it is vital that the United Kingdom Police Service and other global state authorities have the ability to work together, where necessary covertly, in order to obtain intelligence within current legislative frameworks.

In order to achieve this goal, officers are regularly seconded to other forces and global state authorities to ensure skills, intelligence and investigative tools from UK and foreign police forces/state authorities are shared, which may include information relating to exempt bodies as detailed within Section 23(3) of the FOIA.

To confirm or deny that any other information pertinent to this request is held would be extremely useful to those involved in criminal/terrorist activity as it would enable them to map where exempt bodies are currently actively carrying out investigations. Such awareness would enable individuals, subject of the investigative activity, to evade detection and surveillance.

Public Interest Test

Section 24

Factors favouring confirmation that information is held

The public are entitled to know how public funds are spent and resources are distributed within an area of policing. To confirm whether any other information is held relating to this request would enable the general public to hold the force to account on the way in which they deploy resources. In the current financial climate of cuts and with the call for transparency of public spending this would enable improved public debate.

Factors favouring denial that information is held

Security measures are put in place to protect the community that we serve. As evidenced within the harm, to confirm whether any other information relevant to this request is/is not held would highlight to terrorists and individuals intent on carrying out criminal activity vulnerabilities within the Police Service.

Taking into account the current security climate within the United Kingdom, no information (such as the citing of an exemption which confirms any other information pertinent to this request is held, or conversely, stating 'no information is held') which may aid a terrorist should be disclosed. To what extent this information may aid a terrorist is unknown, but it is clear that it will have an impact on a force's ability to monitor terrorist activity.

Irrespective of what information is or isn't held, the public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

The cumulative effect of terrorists gathering information from various sources would have an even greater impact when linked to other information gathered from various sources about terrorism. The more information that is disclosed over time will provide a detailed account of the tactical

infrastructure of not only a force area but also the country as a whole.

Any incident that results from such a disclosure would by default affect National Security.

Section 27

Factors favouring complying with Section 1(1)(a) (to confirm information is held)

Confirming or denying whether any information is held relevant to your request would allow the public to be better informed and would be in the interest of open government and public accountability. Disclosure could increase understanding on international matters and participation in the public debate of the issues raised.

Factors favouring not complying with Section 1(1)(a) (neither confirm nor deny information is held)

The effective conduct of international relations depends upon maintaining trust and confidence between Governments. If the United Kingdom does not maintain this trust and confidence, its ability to protect and promote UK interests through international relations will be hampered. To confirm or deny that any other information is held, would provide detail of the UK relationship with other countries and could potentially damage the bilateral relationship between the UK and other states. This would reduce the UK Government's ability to protect and promote UK interests through its relations with those other states.

Section 30/31

Factors favouring complying with Section 1(1)(a) (to confirm information is held)

As stated above there is information within the public domain confirming that officers are seconded. Confirming or not, that other information is held, by citing an exemption of stating 'no information held', would aid with understanding of how investigations are carried out to ensure every avenue of enquiry is pursued.

Factors favouring not complying with Section 1(1)(a) (neither confirm nor deny information is held)

The release of this information could compromise any ongoing criminal investigations, potentially even undermining covert operations by revealing where exempt bodies are currently active. Therefore, if it is confirmed whether or not any other information is held the capability to prevent such activity would be compromised and may lead to an increase in criminal activity.

The safety of the public is of paramount importance to the policing purpose, and an increase in crime would place the public at risk of harm.

Balancing Test

The points above highlight the merits of confirming or denying the requested information exists. The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. As part of that policing purpose, information is gathered which can be highly sensitive. Irrespective of what other information may or may not be held, confirmation or denial that any other information is held relating to seconded officers, associated costs and detail of the reason why officers are seconded would reveal investigative activity.

Weakening the mechanisms used to monitor any type of criminal activity, and specifically national and international terrorist activity would place the security of the country at an increased level of danger.

Information disclosed under the Freedom of Information Act is made public to the world when

released and has an impact on all areas of the country, not just within the jurisdiction of one public authority. A series of disclosures for this information would mean that terrorists and criminals would be able to build up a picture of where such technology was deployed throughout the whole country. Disclosure at a national level would encourage those with criminal intent to relocate and intensify their activities to areas where 'vulnerabilities' have been identified.

From the arguments articulated above it is clear that confirmation that other information is held could enable a 'mosaic of data' to be drawn up revealing to members of the criminal fraternity investigative activity and resources.

Having considered all the factors, at this moment in time, it is our opinion that for these issues the balance test favours neither confirming nor denying that any other information is held pertinent to this request.

No inference can be drawn from this refusal that other information is or isn't held.

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

PSNI Secondments on 31st March 2007

Location	Number of Officers	Total duration Working days
Afghanistan	1	365
Bosnia	1	365

PSNI Secondments on 31st March 2008

Location	Number of Officers	Total duration Working days
Afghanistan	1	182

PSNI Secondments on 31st March 2009

Location	Number of Officers	Total duration Working days
Bosnia	1	114
Montenegro	1	5

PSNI Secondments on 31st March 2010

Location	Number of Officers	Total duration Working days
Afghanistan	1	307
Ethiopia	2	22
Kosovo	3	974

PSNI Secondments on 31st March 2011

Location	Number of Officers	Total duration Working days
Kosovo	1	246