



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-01224

Keyword: Operational Policing

Subject: Event in Dungiven on 18th April 2011

Request and Answer:

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

I have today decided to:

- disclose information in response to questions 5 to 9 in full;
- fully exempt information in response to questions 1 to 4 pursuant to the provisions of Sections 31 and 38 of the Act.

Question 1

How many PSNI Officers were on duty in connection with this event in Dungiven on 18/4/2011 by this I mean all officers up to Gold Command Level?

Question 2

Can this be broken down by Rank of Officer on Duty again to the Rank of Gold Commander?

Question 3

How many Police Vehicles were used in Dungiven at this event?

Question 4

Can this be broken down by type i.e. Bicycle, Motorcycle, Car, Land rovers etc?

Answer

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, 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 exemption, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31(1)(a) and (b) – Law Enforcement
Section 38(1)(a) and (b) – Health and Safety

Both Sections 31 and 38 are prejudice based and qualified exemptions so it is necessary for a public authority to state the harm that would or would be likely to be caused by release and carry out a Public Interest Test.

Harm Test

Section 31

The release of information in relation to resource levels is a highly sensitive area. The lower the level of breakdown is, the higher the risk will be. Release of this information would allow criminals to ascertain the resources used to police events such as this in the future and identify the number of police officers available to respond to incidents. They would be likely to see this as an opportunity to commit crime in those locations/times therefore both directly and indirectly impacting on the prevention and detection of crime and the apprehension of criminals by the PSNI.

Section 38

The disclosure of this level of detail would be likely to be valuable intelligence for terrorist groups thereby exposing both officers and the community at large to risk of attack.

To identify the number of officers on duty at a particular event potentially notifies terrorist groups of the likely strength they could encounter when mounting future operations. This potentially puts officers' lives at risk.

Public Interest Test

Factors Favouring Release – Section 31

The proper allocation of resources is a matter that the force should hold up to public scrutiny to enhance accountability and justification.

Factors Favouring Retention – Section 31

Disclosures of officer numbers can have a cumulative effect, enabling reasonably accurate mapping to be produced over a period of time. Current or future law enforcement role of the PSNI would be likely to be compromised by the release of information.

Factors Favouring Release – Section 38

Disclosure would enhance and contribute to the quality and accuracy of public debate and decision-making by the service concerning police resources.

Factors Favouring Retention – Section 38

Release of this information would be likely to place at risk the lives of officers and the public. This is because the detailed information in question would be useful to terrorists planning to carry out attacks on police, which have in the past been known to be indiscriminate in nature, therefore endangering unsuspecting bystanders in addition to the intended target.

Decision

When it comes to the balance of the risk of attack to officers and danger to the public versus accountability and informed debate, the decision under FOI will always fall in favour of withholding any information that would be likely to cause such a risk.

In this case I am satisfied that both exemptions at Sections 31 and 38 are applicable to this information. This therefore should be considered a refusal notice in relation to this part of the request.

Question 5

How many roads were closed off to vehicular traffic in the Dungiven area to facilitate this event?

Question 6

If roads were closed to vehicular traffic who authorised their closure PSNI or DRD?

Question 7

If roads were closed to vehicular traffic were Diversions put in place and if so were Road Closed Signs or Diversion Signs used?

Answer

No roads were closed, however, several diversion signs were used.

Question 8

Were these Diversions advertised? If so what publications or media were they in/on?

Answer

Local media were advised of possible traffic delays and road diversions via the PSNI press office. No information is held in relation to which publications chose to advertise this.

Question 9

Did the PSNI and the event organisers hold any meetings in the days/weeks in the build up to this event?

Answer

Yes.

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.