



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-01995

Keyword: Operational Policing

Subject: Police Information Notices

Request and Answer:

Question

We write in respect of the above matter and ask that you provide us with information regarding the use by your force of Police Information Notices ('PINs', also referred to as 'harassment warnings') in connection with suspected harassment offences.

As you will be aware, offences of harassment are governed by the Protection from Harassment Act 1997. However this legislation does not provide any formal statutory framework for the issuance of police information notices. The Crown Prosecution Service (CPS) and the National Policing Improvement Agency (NPIA) have published guidance on the use of PINs.

We ask that you provide us with the following documents and information:

1. Any specific policy guidance, or written descriptions of good practice, used by your own force on the issuance of PINs (whether published or not);
2. Confirmation of whether your force's practice in issuing such notices is intended to comply with the CPS and NPIA published guidance or merely take account of it;
3. Details of your force's local procedure (if such a procedure exists) for ensuring that the views of the potential recipients are taken into account before PINs are issued to them;
4. Details of the methods of issuing PINs that are permitted by your force, for example, in person, by post, left at an address;
5. Statistics for of how many PINs were issued by your force in each of the previous two years (if these are kept);
6. Any statistics indicating how PIN's have since been withdrawn over the last two years;
7. Details of your force's local procedure (if such a procedure exists) which enables a PIN to be amended in the event that there exists a dispute of evidence and details of how many PINs have been amended using this procedure over the last two years; and
8. Details of the procedure (if any) by which your force invites representations from the recipient of a PIN before the PIN or the fact of its issuance is disclosed it to a third party, such as the Criminal Records Bureau.

Answer

Pursuant to the provisions of Section 22 of the Freedom of Information Act 2000 it has been decided

to refuse access to the information you have requested. Under Section 22 (1) of the Act the Police Service of Northern Ireland (PSNI) is not obliged to disclose information that is held with a view to its publication at some future date.

Section 22 is a class based qualified exemption which means that the legislators have identified that the public interest considerations need to be evidenced and articulated to the applicant.

Public Interest Considerations – Section 22

Factors favouring disclosure

Disclosure at this time would provide the public with an awareness of the PSNI use of Police Information Notices in connection with suspected harassment offences.

Factors favouring non-disclosure

The PSNI policy is currently in draft format and the allocation of training dates to cover this subject are currently being sought before publication to ensure officers are proficient in regard to this subject. Release of the document at this stage could lead to confusion if the final document was amended prior to the final release.

Internal processes regarding publication of Service Procedures must be followed to ensure corporacy throughout the organisation. Our Service Procedure is drafted in line with and in compliance with the current ACPO guidance.

Balancing Test

There needs to be a real and valid reason which identifies a tangible benefit to the public from disclosure of information. In this case a decision has been made to disclose the information when service procedure has been approved and officers trained. For the reasons outlined above the balancing test at present would be to not release the requested information

The information you requested is intended to be published by the PSNI and will be made available on the below link.

http://www.psni.police.uk/service_procedures

If you have any queries regarding your request please write or contact the Freedom of Information Team on 028 9070 0164. Please remember to quote the reference number listed above in any future communications with the Freedom of Information Team.

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.