



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2011-00979

**Keyword:** Organisational Information/Governance

**Subject:** Cases taken to the Fair Employment Tribunal

### Request and Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

#### Question 1

How many cases have been taken to the fair employment tribunal and won against the Chief Constable prior to 1990? Could I please be provided with a list of years and the number of cases.

#### Answer

No information is retained to provide a response to this question. Additionally, it is understood that the Fair Employment Tribunal was not established until 1990 following the publication of relevant legislation in 1989.

#### Question 2

How many hearings on record or within living corporate memory have been won at the fair employment tribunal for religious or political discrimination have been appealed by the Chief Constable to the appeal court? Could you please name these cases.

#### Answer

There was 1 case where an appeal was lodged. The appeal was upheld and a subsequent application for costs was also successful.

The case referred to Kevin Curley v Chief Constable PSNI.

#### Question 3

In the cases that were won at the appeal court by the Chief Constable how many applications were made on the Chief Constable's behalf for costs? Could you please name the cases that applications have been made on the Chief Constable's behalf for costs.

#### Answer

Please refer to the answer given to question 2.

#### **Question 4**

What is/was the Chief Constable's Policy on making application for costs at the Appeal Court in respect of Fair employment Tribunal cases that are appealed by the Chief Constable?

#### **Answer**

There is no policy in place on making application costs as each circumstance is considered on its own particular merits.

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](mailto: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](http://www.psnipolice.uk)

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