



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-01468

Keyword: Complaints/Discipline

Subject: Allegations of Racism

Request and Answer:

Question 1

Full details of allegations of racism made against force employees in each of the last 10 years for which figures are available. I would like the response to include, for each year during the period,

The number of allegations made.

Question 2

The nature of each allegation.

Question 3

The rank of the employee facing the allegation.

Question 4

The method of resolving the complaint – ie by preliminary inquiry, internal or external investigation, etc.

Question 5

The judgement made – i.e. guilty or otherwise and,

Question 6

The penalty imposed, where relevant.

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, 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.

It is estimated that the cost of complying with your request for information would 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 (18 hours).

Your request refers to employees of PSNI and relates to both civilian staff and police officers. Professional Standards Department has advised that they receive details of allegations of racism by members of the public against police officers from the Police Ombudsman. For the time frame

requested there would be in excess of 30,000 forms. PSD do not record/categorise these forms and therefore it would be necessary to examine each one to ascertain the nature of the complaint. Estimating one minute to check each document would equate to approximately 500 hours. This estimate would grossly exceed the 18 hour cost limit.

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.

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'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit. Subject to the relevant exemptions, PSD may be able to provide the number of police officers disciplined at a formal misconduct hearing as a result of an allegation of racism in the last 5 years.

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.

Although excess cost removes the PSNI's obligations under the Freedom of Information Act, I have provided below information in relation to internal allegations retrieved by Equality & Diversity Branch prior to realising that the fees limit would be exceeded. I trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of the request.

Answer 1

The PSNI Bullying & Harassment Policy was implemented in January 2005; therefore data can only be retrieved from this date. There have been 3 allegations of racism recorded against employees.

Answer 2

In each case the complainant claimed they were bullied/harassed on the grounds of their race.

Answer 3

Allegations were made against the following ranks, Inspector, Constable and Support Grade Band 1.

Answer 4

All 3 cases were investigated internally via the Bullying & Harassment Procedure.

Answer 5

1 case remains pending and the other cases resulted in no further action.

If you have any queries regarding your request or this 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.psnj.police.uk

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