



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-00676

Keyword: Complaints/Discipline

Subject: Illegal Access of Information on the Police National Computer

Request and Answer:

Question 1

How many police officers or police staff have been reprimanded or sacked in your force between January 1st 2006 to February 13th 2012 for illegally accessing confidential information on the Police National Computer.

Question 2

Between January 1st 2006 to February 13th 2012 - how many complaints have been referred to the IPCC about police officers or police staff in your force illegally accessing information on the Police National Computer.

Question 3

Between January 1st 2006 to February 13th 2012 how many complaints have been made against police officers or police staff in your force in relation to illegally accessing information on the Police National Computer.

Clarification

On February 27, 2012 we advised you that until November 2009, The Police National Computer (PNC) was only accessible to PSNI through another unique PSNI system called ICIS. Therefore it would only be possible to determine whether Police Officers or Staff accessed ICIS for non police purposes between January 2006 and November 2009. We cannot specifically indicate whether the information actually came from the PNC during this time. We advised you that the PSNI's Professional Standards Department could provide the number of Police Officers disciplined at a formal hearing for inappropriate access of police systems between January 2006 and February 2012. Alternatively, Professional Standards Department could provide the number of Police Officers disciplined at a formal hearing for inappropriately accessing PNC between November 2009 and February 2012.

We also advised that retrieval of discipline information for Police Staff would involve input from all Human Resources Managers in each of the PSNIs Districts and Departments and would be likely to push your request over the appropriate fees limit.

We also advised that the Northern Ireland independent complaints body the Police Ombudsman for

Northern Ireland, investigate complaints against police or designated staff members by or on behalf of members of the public. To retrieve information on complaints made to the Ombudsman since 2006 in relation to accessing the information on the Police National Computer would require individual examination of each complaint, massively exceeding the cost limit.

Subsequently you asked that your request be refined as follows;

Question

Please can I refine my request to refer to ICIS and instead of the IPCC, in terms of the Ombudsman, can I get the relevant data from 2010 onwards?

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.

The Professional Standards Department do not store information relating to complaints to the Police Ombudsman for Northern Ireland in spreadsheet format. Every form is scanned electronically and the only way to retrieve the information is to read each form. Allowing 30 seconds to extract the information from an estimated 6000 complaints in 2010 alone would take around 50 hours, greatly exceeding the cost threshold.

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 it 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. Unfortunately, the nature and structure of the information requested in relation to the Ombudsman makes it impossible to refine. However, you may wish to refine the remainder of your request as suggested above.

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, as a gesture of goodwill, I have supplied information relative to your request which was retrieved or available before it was realised 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 your request. Please see below;

Between 1st January 2006 and 13th February 2012, fifteen officers were disciplined at a formal misconduct hearing for inappropriate use of police systems. Two officers received a sanction of caution, four officers received a reprimand, five officers were fined, two officers were reduced in pay, and two officers were required to resign (in effect, dismissal with notice).

The Police Service expects its staff to behave professionally, ethically and with the utmost integrity at all times. Whilst the PSNI takes extremely seriously any allegation of wrongdoing, the number of cases must be put into context of the average overall size of the police service in the time-frame requested i.e. 8500 officers.

The Ombudsman's website www.policeombudsman.org publishes comprehensive statistics

categorising complaints and allegations by financial year and further information in relation to your request may be provided there.

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.psnipolice.uk

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