



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-00538

Keyword: Complaints/Discipline

Subject: Voluntary Self-Declaration of Substance Misuse

Request and Answer:

Question

We act on behalf of our client, whom you will be aware was the subject of disciplinary proceedings following his arrest on 24 August 2007.

We refer to Policy Directive PD11/08, issued on 28th August, 2008. From consideration of Section 7.2, there is provision for voluntary self-declaration.

We should be obliged if you could kindly confirm the number of police officers who have voluntary self-declared in respect of substance misuse since the implementation of this directive. Please also kindly confirm as to how these police officers have been dealt with, following their voluntary self-declaration.

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).

The information requested is not easily accessible. The Chief Medical Advisor has advised that some information may be contained in officers' medical records but is not collated separately. Retrieval of the information would require the examination of all medical records of officers who have served with the PSNI since the directive was introduced to determine if a self-declaration of misuse has been recorded. This would amount to a manual trawl of approximately 7,000 files and allowing 10 minutes to check each record, the process would take in excess of 1,000 hours, greatly exceeding the cost limit of 18 hours.

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; however the nature and structure of the information unfortunately makes this impossible.

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.

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.psni.police.uk

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