



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2012-02867

**Keyword:** Operational Policing

**Subject:** Police Costs for Parades in Newry, Kilkeel and Bessbrook

**Request and Answer:**

### Question 1

The number of police officers who covered parades on July 12 or 13 in Newry, Bessbrook and Kilkeel. If additional staffing was required, how many?

### Question 2

The total cost to cover parades on July 12 and 13 in Newry, Bessbrook and Kilkeel.

### Question 3

Were police officers, including additional staff, paid overtime for covering these events and if so what was the average hourly rate?

### Answer

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- disclose information in response to questions 2 and 3 in full;
- fully exempt information in response to question 1 pursuant to the provisions of Section 31 and Section 38 of the Freedom of Information 2000 (the Act).

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemptions, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31 (1) (a) (b) – Law Enforcement

## Section 38 (a) (b) – Health and Safety

Both Section 31 and Section 38 are prejudice based qualified exemptions and this means that the public authority is required to provide harm that could occur following disclosure of the requested information and must consider the balance of the public interest in releasing the information against the public interest in withholding it.

The summary of the Harm and Public Interest considerations for Section 31 and Section 38 are provided below:

### **Harm Test**

The release of information in relation to police deployments is a highly sensitive area. The release of police resources/deployment information would allow criminals to identify the number of police officers that are used to police parades in these areas and they would be likely to see this as an opportunity to commit crime against participants in the parades or in the locations they are taking place, therefore both directly and indirectly impacting on the prevention and detection of crime and the apprehension of criminals by the PSNI and exposing officers and the community to risk of attack.

### **Public Interest Test**

#### Factors favouring release - Section 31

Release of this information could inform how public money is spent and provide an insight into resources used in law enforcement and in this case in the policing of parades.

#### Factors favouring retention - Section 31

Disclosure could reveal resource levels and capabilities within the PSNI. Disclosure of officer numbers deployed at parades could compromise law enforcement tactics which could potentially lead to more crime being committed and individuals being placed at risk. The use of this type of information may be of particular concern in light of the nature and extent of the prevailing terrorist threat. It may also be used by criminals/terrorists in combination with other information they have gathered to try and prejudice law enforcement.

#### Factors favouring release – Section 38

The considerations favouring release in this case are generic and arise from the purpose and rationale for Freedom of Information legislation. The factors outlined above in favour of release under Section 31 are therefore also relevant to Section 38.

#### Factors favouring retention – Section 38

Release of this information would be likely to place at risk the lives of officers and the public. This is because the information in question would be useful to terrorists planning to carry out attacks on police, which have in the past been known to be indiscriminate in nature, therefore endangering unsuspecting bystanders in addition to the intended target.

### **Decision**

The PSNI has a duty to fulfil its law enforcement function and whilst there is a public interest in the transparency of policing activities and the appropriateness of how public funds are allocated, in the policing of parades, the delivery of effective law enforcement is of paramount importance. Disclosing information regarding police resources used to police parades could also assist any protesters to cause disruption at any future parades and carry out attacks on the police, which have the potential to endanger both the lives of police officers and/or members of the public.

The Service is currently under severe threat from terrorists and disclosure of this level of information has the potential to assist those criminal elements seeking to carry out attacks against police officers. The Police Service will not disclose information that will put officers' lives at risk as the safety of individuals is of paramount importance.

In this case I am satisfied that both exemptions at Section 31 and Section 38 are applicable to this information. This therefore should be considered a refusal notice in relation to question 1.

**Answer 2**

£96.5k was spent on overtime policing parades in Newry, Bessbrook and Kilkeel on July 12<sup>th</sup>, 2012. No overtime was used to police parades on July 13<sup>th</sup> 2012 in Newry, Bessbrook and Kilkeel.

**Answer 3**

On 12th July every officer was over and above the normal Response Policing requirement and, as the 12<sup>th</sup> July is a Public Holiday, they were paid at Public Holiday rate of approximately £36 per hour on average.

On 13th July all officers were already on duty within District and resources were moved around to police events.

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.psni.police.uk](http://www.psni.police.uk)

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