



FREEDOM OF INFORMATION REQUEST



Request Number: F-2013-05390

Keyword: Organisational Information/Governance

Subject: BBC Three documentary petrol bombs and peace

Request and Answer:

Question

Under the Freedom of Information Act, I would like to request details in relation to the BBC Three documentary Petrol Bombs and Peace: Welcome to Belfast, broadcast on August 13.

I would specifically like the following details:

For July 2013, please disclose all correspondence (redacted if necessary) sent and received in relation to this programme

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 question 1, subject to the deletion of information pursuant to the provisions of Section 38 and 40 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 38 (1) (a) and (b) – Health and Safety

Section 40 (2) (a) and (b) by virtue of Section 40 (3) (a) (i) – Personal Information

Section 38 Health and Safety is a prejudiced based exemption which means that the PSNI must demonstrate that it is satisfied that to release the information would be likely to endanger the physical

or mental health of any individual. It is also a qualified exemption which means that the PSNI must consider the balance of the public interest in releasing the information against the public interest in withholding it.

Section 40 Personal Information is a Class-based exemption, therefore it is not necessary to evidence the harm caused by disclosure. The data protection rights of a third party would be breached by disclosure, therefore Section 40(2) is an Absolute exemption and a Public Interest Test is not necessary. This is so because personal data is governed by other law (The Data Protection Act 1998).

All requests made under FOIA are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain and not just to an individual.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal data about a third party it can only be released if disclosure would not breach any of the data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly.

Members of staff are entitled to protection under the Data Protection Act 1998. The Service would be failing in its lawful duty were it to breach the Data Protection Act in order to furnish a disclosure under the Freedom of Information Act 2000. The Service has a duty to protect the personal data of all individuals. Therefore, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The summary of the Harm and Public Interest Test considerations for Section 38 is provided below;

Harm Test

Section 38

Disclosure of the names of individuals which are contained in the documents below could put these individuals at risk and impact on their safety. The identities of these individuals into the public domain and disclosure of their names could put them at risk and impact on their safety. The service is currently under severe threat from terrorists and releasing names of persons associated with the PSNI could assist these terrorists in targeting individuals.

Public Interest Test

Factors Favouring Release – Section 38

Releasing the information would promote openness and transparency. The public would be better informed about staff and their roles within the service.

Factors Favouring Retention – Section 38

Releasing the names of individuals who work within the PSNI into the public domain would assist terrorists and criminal elements to carry out attacks on these persons.

Decision

I have determined that the release of names of staff into the public domain would not be in the public interest. The Service is currently under severe threat from terrorists and disclosure of this information has the potential to assist those criminal elements seeking to carry out attacks against police officers/police staff/civilians and police premises. The safety of individuals is of paramount importance and the PSNI will not divulge any information which could put lives at risk.

In this case I am satisfied that both exemptions at Section 40 and Section 38 are applicable to this information.

I have attached at the end of this response correspondence sent and received from July 2013 regarding the BBC Three documentary Petrol Bombs and Peace: Welcome to Belfast, broadcast on August 13.

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.

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.

[Redacted]

From: [Redacted]
Sent: 06 November 2013 11:33
To: [Redacted] **Not relevant to Request**
Subject: : FW: some stats

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s.F38(1)(a)
s.F38(1)(b)
s.F40
s.F40(2)(a)
s.F40(2)(b)
s.F40(3)(ai)

[Redacted] T/ Media Centre Manager |
Department of Corporate Communications | PSNI Headquarters
Tel: 02890 [Redacted] Ext: [Redacted]

HQ PRESS OFFICE OPENING HOURS:
Monday - Friday: 7am - 8pm | Saturday & Sunday: 9am - 5pm

From: [Redacted]
Sent: 23 July 2013 16:55
To: [Redacted]
Subject: RE: some stats

Great [Redacted],
Thanks again!

From: [Redacted]
Sent: 23 July 2013 16:16
To: [Redacted]
Subject: 1.NOT PROTECTIVELY MARKED-All Networks:: RE: some stats

At this stage, we do not have an exact figure that we could stand over but I think it is at least 128 - might be safest to say over 100 were thrown!
Thanks

[Redacted] T/ Media Centre Manager |
Department of Corporate Communications | PSNI Headquarters
Tel: 02890 [Redacted]

HQ PRESS OFFICE OPENING HOURS:
Monday - Friday: 7am - 8pm | Saturday & Sunday: 9am - 5pm

From: [Redacted]
Sent: 23 July 2013 16:08
To: [Redacted]
Subject: RE: some stats

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s.F40(3)(ai)

This is really helpful. Thank you for that. One more question – do you know how many petrol bombs were thrown in total over the days of disorder?
Kind regards,

From: [Redacted]

Sent: 23 July 2013 11:58

To: [REDACTED]

Subject: 1.NOT PROTECTIVELY MARKED-All Networks:: RE: some stats

Thanks for your email.

Please see answers below which should be of use.

There may be further details re costs but not sure if we would have them before you finish editing.

I have attached a few press releases which may also be of use in answering your final questions.

If you need anything else, please give me a shout.

Thanks,

[REDACTED] | T/ Media Centre Manager |

Department of Corporate Communications | PSNI Headquarters

Tel: 02890 [REDACTED] Ext: [REDACTED]

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s.F40(3)(ai)

HQ PRESS OFFICE OPENING HOURS:

Monday - Friday: 7am - 8pm | Saturday & Sunday: 9am - 5pm

From: [REDACTED]

Sent: 22 July 2013 11:35

To: [REDACTED]

Subject: some stats

Hi [REDACTED]

I hope you are well. We are almost finished our programme for BBC Three and I am hoping to check some stats about the violence over the Twelfth.

If you, or someone in the office, could provide us with the following info it would be great.

- 1) How many police officers policed the Twelfth (and the few days after during which there was unrest)?

ACC Will Kerr stated on 11/07/13 that over 4000 officers, including Mutual Aid officers, would be deployed on 12/07/13.

- 2) How many officers were injured on the twelfth and the ensuing days of rioting?

71 police officers were injured (68 PSNI officers and 3 Mutual Aid officers)

- 3) How many mutual aid officers came from the rest of the UK?

Approx 1300

- 4) What was the cost of policing the Twelfth and the unrest afterwards?

ACC Kerr stated on 15/07/13 that the cost of the policing operation was already multiple millions. Last year the policing operation cost approximately £7.4million.

Also I am saying in the programme that the rioting continued for four days after the Twelfth. We are also saying that it was the most violent Twelfth in recent years.

There was disorder until the Tues although it decreased nightly - there was also pockets of disorder on the Wed night - see attached wrap-up lines.

Most violent 12th - there were ferocious attacks on police officers - see statement following facility.

You can correct me on either of those points but our own research suggests that is right.

We're finishing the programme tomorrow so if someone could get back today on these points it would be very helpful.

Kind Regards,

<http://www.bbc.co.uk>

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[Redacted]

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From: [Redacted]
Sent: 06 November 2013 11:33
To: [Redacted]
Subject: : FW: some stats

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Not relevant to Request

[Redacted] | T/ Media Centre Manager |
Department of Corporate Communications | PSNI Headquarters
Tel: 02890 [Redacted] | Ext: [Redacted]

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Hi [Redacted]

[Large Redacted Block]

Kind Regards,



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[Redacted]

Not relevant to Request

From: [Redacted]
Sent: 06 November 2013 11:32
To: [Redacted] **Not relevant to Request**
Subject: : FW: 1.NOT PROTECTIVELY MARKED-All Networks:: RE: BBC Three - Fact Check.

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[Redacted] |T/ Media Centre Manager |
Department of Corporate Communications | PSNI Headquarters
Tel: 02890 [Redacted] Ext: [Redacted]

HQ PRESS OFFICE OPENING HOURS:
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From: [Redacted]
Sent: 02 July 2013 14:09
To: [Redacted]
Subject: 1.NOT PROTECTIVELY MARKED-All Networks:: RE: BBC Three - Fact Check.

[Redacted]

I have asked [Redacted] the District Media Officer to have a look at this for you so she will be in touch in due course.
Thanks,
Debra

[Redacted] |T/ Media Centre Manager |
Department of Corporate Communications | PSNI Headquarters
Tel: 02890 [Redacted] Ext: [Redacted]

HQ PRESS OFFICE OPENING HOURS:
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From: [Redacted]
Sent: 02 July 2013 13:58
To: [Redacted]
Subject: BBC Three - Fact Check.

Hi [Redacted]

I was hoping you might be able to help me on something. As you know, we're making a doc for BBC Three on young people in Belfast over the summer.

We had reports that the PSNI found petrol bombs in or around the Carrickhill area of Belfast on the day the Tour of the North was staged – someone says this in the programme, and we're wondering if it is factually accurate.

Might you be able to establish the truth of this for us?

Many thanks,
[REDACTED]

<http://www.bbc.co.uk>

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[Redacted]

Not relevant to Request

From: [Redacted]
Sent: 06 November 2013 11:33
To: [Redacted]
Subject: : FW: 1.NOT PROTECTIVELY MARKED-All Networks:: FW: BBC Three - Fact Check.

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Not relevant to Request

[Redacted] T/ Media Centre Manager |
Department of Corporate Communications | PSNI Headquarters
Tel: 02890 [Redacted] Ext: [Redacted]

HQ PRESS OFFICE OPENING HOURS:
Monday - Friday: 7am - 8pm | Saturday & Sunday: 9am - 5pm

From: [Redacted]
Sent: 06 November 2013 10:37
To: [Redacted]
Subject: : FW: 1.NOT PROTECTIVELY MARKED-All Networks:: FW: BBC Three - Fact Check.

From: [Redacted]
Sent: 02 July 2013 17:11
To: [Redacted]
Subject: 1.NOT PROTECTIVELY MARKED-All Networks:: FW: BBC Three - Fact Check.

In response to your enquiry below, please note that detailed searches of the area were carried out by Police before the Tour of the North Parade and nothing untoward was found, nor reports received.

Best Regards,

[Redacted]

[Redacted] T/District Media Officer |
North & West Belfast |
Department of Corporate Communications
Tel: 02890 [Redacted] Mob [Redacted]

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From: [Redacted]
Sent: 02 July 2013 13:58

To: [REDACTED]
Subject: BBC Three - Fact Check.

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