



FREEDOM OF INFORMATION REQUEST



Request Number: F-2013-04003

Keyword: Organisational Information/Governance

Subject: Compensation in Relation to Photographers

Request and Answer:

Question 1

How much has the Police Service of Northern Ireland paid in compensation to members of the public who were unlawfully/wrongfully arrested or stopped by officers while taking photographs in a public place relating to incidents that took place between 1 August 2010 and 30 July 2013?

Question 2

How many such compensation cases were there?

Question 3

If recorded on the electronic police database, what alleged offences did the stop/arrest relate to in each of these cases?

Question 4

How many claims were settled out of court and how much was paid in total?

Clarification received: Further to my FOI request, for the sake of clarity concerning question (1), please note that I am not seeking compensation information about people who have taken pictures 'of police incidents'. Rather, I am after information relating to unlawful/wrongful arrests or stops of members of the public while taking pictures in a public place between 1 August 2010 and 30 July 2013.

Answer

Criminal Justice Branch has advised that in general it is not an offence to take a photograph in a public place, however on occasion if it is connected with crime or terrorism then initially there must be grounds to suspect an offence and eventually this must be proven.

Searches were conducted by PSNI's Legal Services Branch (LSB) however these searches failed to locate any records or documents relevant to your request based on the information you have provided. Therefore, no such claims have been made. On receiving a claim LSB do not record why the individual was being arrested only that they are alleging it was unlawful. LSB do not record details of when members of the public may be stopped by a police officer in the course of their duty.

Accordingly, I have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

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.