



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2014-05818

**Keyword:** Operational Policing

**Subject:** Complaint re Parking

### Request and Answer:

#### Question 1

Reference van parked over public footpath at the top of Old Church Road. Most likely 2 males in van parked with no lights in a inlet (turning circle) at the top of Old Church Road. Reference Van Reg. Number PL (Poland) XXXXXXXX. N.B The 2nd time I rang and spoke to call handler Ryan he provided ref number 849 date 3rd December 2014. Please provide a copy of the Police Officers notebook as to the time he called out and spoke to the males in the van Reg. Number PL (Poland) XXXXXXXX. What advice if any he/she gave them about parking the back of their van over a public footpath. What advice if any he/she gave them about having no lights e.g. side lights on when in the van? N.B I and others had to walk in front of the due to the fact the public footpath was blocked.

#### Answer

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

No persons were spoken to and no notebook entry was made.

#### Question 2

Did the officers get the names of the 2 males in the van and their home address in Poland or wherever?

#### Answer

No.

#### Question 3

Did the officers not speak to any of the 2 men in the van if not why not?

#### Answer

The van had gone upon police arrival and the occupants were not identified.

#### Question 4

Did the officers check the Reg No. of the van to see what country it is registered in e.g. Poland or does the PSNI data base for vehicles not cover Poland?

**Answer**

The vehicle registration number provided was checked and no record was found.

**Question 5**

If a driver from N Ireland parked in the inlet (turning circle) with no lights and the back of the van parked over the footpath preventing pedestrians from using it what action would the police have taken e.g. warning, penalty points etc.

**Answer**

The police response will depend upon a number of factors, i.e. were they in receipt of a complaint or had they witnessed the inconvenience /danger to pedestrians. The recommended option is to issue a Non-Endorsable Fixed Penalty Notice (FPN) for the offence of Obstruction contrary to Reg 119 of the Motor Vehicles (Construction & Use) Regulations (NI) 1999:

<http://www.legislation.gov.uk/nisr/1999/454/regulation/119/made>

This FPN carries a £30 penalty and no penalty points.

**Question 6**

Do Police have a different policy for foreign drivers ref road offences because of the possible language barrier?

**Answer**

Where police come upon an offending motorist who appears not to understand English, then there is the option to deal with the individual at the roadside via a telephone translator service. If the offence is a more serious matter and the individual is liable to arrest, then police can summon a translator to the custody suite to assist police with interviewing the foreign driver.

**Question 7**

How many PSNI officers can speak basic Polish?

**Answer**

No PSNI officers have declared their ability to speak either basic or fluent Polish or that they hold any linguistic qualifications in Polish. I can however advise that there are currently 5 serving PSNI officers who have Polish nationality.

**Question 8**

How many PSNI officers can speak fluent Polish?

**Answer**

No PSNI officers have declared their ability to speak either basic or fluent Polish or that they hold any linguistic qualifications in Polish. I can however advise that there are currently 5 serving PSNI officers who have Polish nationality.

**Question 9**

How many Polish people have been charged with driving offences speeding, drink driving, etc. in the year 2012 -2013?

**Answer**

113 persons of Polish nationality were charged with motoring offences where the offence occurred between 1st April 2012 and 31st March 2013. Please note this figure is provisional and subject to change.

**Question 10**

The PSNI must confirm in writing that the footpath on Old Church Road is a public footpath no vehicle from any country can park over it either the front or back of the vehicle preventing the public from walking safely?

**Answer**

Absolute confirmation that the footpath on Old Church Road is a public footpath would require to be sought from DRD Transport NI who has responsibility for the roads and maintenance of same. If the Old Church Road is an “adopted” road, that is under DRD’s responsibility for maintenance, then it is assumed to be a public road. From a police perspective, the Old Church Road is a road to which the public have access. It therefore follows that a footpath that runs alongside this road would be a public footpath.

However it is important to highlight that there is *no distinct offence* that deals with a vehicle parking on a footpath. There are situations where a vehicle doing so neither causes obstruction or danger or where parking partially on the footpath is the only way to retain free passage for traffic along the road. This is why police are required to assess each situation to determine whether an offence of “obstruction” has actually occurred.

**Question 11**

Does the PSNI put shop lifting incidents above Road Safety incidents complaints?

**Answer**

The PSNI is determined to help build a confident, safe and peaceful society. Each incident/occurrence reported to police is assessed according to National Call Handling Standards, then graded based on the individual circumstances to determine the appropriate police response. Public Safety is paramount and we are committed to protecting our communities, by preventing and detecting offences to ensure that we do all that we can to help keep people safe.

**Question 12**

What is the names of the Sergeant and Inspector who is the Police Officer in this case superiors?

**Answer**

The supervisors of the police officer in charge of this case are Sergeant Liddle and Inspector McGrillen.

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.