



FREEDOM OF INFORMATION REQUEST



Request Number: F-2014-05449

Keyword: Operational Policing

Subject: Distressed Male Newtownabbey Area

Request and Answer:

Ref: Incident that took place Wednesday 29th October 2014. Man in B&Q car park within the Abbey Retail Park trying to set himself on fire.

Question 1

When were the police made aware of the man with the flammable liquid, exactly what time?

Question 2

Who made the call to the P.S.N.I. e.g. B&Q staff member, Cobra Security etc?

Question 3

How long did it take the PSNI to respond?

Question 4

What other services also responded e.g. fire service, ambulance, Ambulance service etc?

Question 5

Does the individual involved already have an existing police record and if so what for e.g. drink driving etc?

Question 6

Will the PSNI apply to remove the individual who tried to set himself on fire driving licence?

Question 7

Will the PSNI take charges against the individual e.g. for taking drugs, alcohol etc.?

Question 8

Did the individual travel by car to B&Q car park with the flammable liquid with him?

Question 9

What was the flammable liquid; alcohol, petrol, paint thinners, paint brush cleaner etc?

Question 10

Where was the flammable liquid purchased e.g. B&Q Abbey Retail Par, Tesco Petrol Filling Station Abbey Retail Park, Tesco Supermarket and Off Licence Abbey Retail Park or Abbey Social Club, or

LIDL Supermarket or Off Licence Church Road?

Question 11

How many charges are the PSNI going to take against this individual? Please also name them.

Question 12

Does the individual have a criminal record in his country of birth and also any other country in the world?

Question 13

Does the individual live in the Newtownabbey D.C.U. area? Has Newtownabbey PSNI had contact with him before for ant-social behaviour etc?

Question 14

What is the name of the solicitor and the firm representing the individual who put the flammable liquid over himself?

Question 15

What is the name of the Doctor who is representing the individual?

Question 16

What is the age and nationality of the individual?

Question 17

Is there a European Arrest warrant out for the individual for any crime?

Question 18

Did the PSNI check that the individual is not wanted by any police force in the world e.g. America?

Question 19

Did the PSNI check to see if the individual has a computer or access to one and had threatened to pour flammable liquid over himself and what else was on it?

Question 20

Does the individual work with vulnerable people or children?

Question 21

Is the PSNI the only body making charges against the individual?

Question 22

Did the owners of the Abbey Retail Park or B&Q ask charges to be taken against the individual?

Question 23

Is the individual a member of any illegal organisation?

Question 24

Did the PSNI collect CCTV images from the Abbey Retail Park to use as evidential evidence? If not why not?

Question 25

Did the PSNI collect CCTV images from the Newtownabbey Borough Council camera on the Church Road? If not why not?

Question 26

When will the individual appear before any court?

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 1, 3 and 4 in full;
- fully exempt information in response to questions 2, 5, 6, 7, 8, 9,10,11,12,13,14,15,16,17,18,19, 20, 21, 22, 23, 24, 25 and 26 pursuant to the provisions of Section 40 of the Act.

Question 1

When were the police made aware of the man with the flammable liquid, exactly what time?

Answer

19:29:25

Question 3

How long did it take the PSNI to respond?

Answer

2 minutes.

Question 4

What other services also responded e.g. fire service, ambulance, Ambulance service etc?

Answer

Northern Ireland Ambulance service and Northern Ireland Fire and Rescue Service were also in attendance.

Questions 2, 5, 6, 7, 8, 9,10,11,12,13,14,15,16,17,18,19, 20, 21, 22, 23, 24, 25 and 26

Answer

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 exemption is listed below:

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

When a request is received by PSNI under the Freedom of Information Act, we must consider if the information can be released to the public at large.

Section 40 Personal information is an absolute exemption which means there is no requirement on the Public Authority to consider whether there is a public interest in disclosure. This is so because personal data is governed by other law (The Data Protection Act 1998).

Personal information – Section 40

The information withheld by PSNI relates to individuals who we consider could be identified from that information. This information identifying them constitutes their 'personal data'. We have therefore considered whether the disclosure of this personal data is subject to the exemption at section 40(2) of the Freedom of Information Act 2000 (by virtue of s40 (3)(a)(i)). If the disclosure of the personal

data would contravene any of the eight data protection principles contained within the Data Protection Act 1998, the exemption at section 40(2) of the Freedom of Information Act 2000 will apply. Section 40(2) of the Freedom of Information Act 2000 by virtue of section 40(3)(a)(i) states:-

“(2) Any information to which a request for information relates is also exempt information if
a) it constitutes personal data which do not fall within subsection (1), and
b) either the first or the second condition below is satisfied.

(3) The first condition is –

a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene –

i. any of the data protection principles ...”

The eight principles within the Data Protection Act, are principles of good information handling standards which PSNI must comply with in relation to how it handles personal information, including deciding whether to disclose it or not. In particular, the first principle requires personal data to be processed ‘fairly and lawfully’. In considering whether it is ‘fair’ to individuals to release this information about them, PSNI considered the likely expectations of those individuals and the expectations of these individuals that their identification information would not be put into the public domain.

All requests made under FOI are applicant blind and therefore 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. Therefore, disclosure would be in contravention of the first Data Protection Principle as it would be ‘unfair’ to those individuals to release personal information and PSNI has withheld this information.

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.psnipolice.uk

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