



FREEDOM OF INFORMATION REQUEST



Request Number: F-2015-00350

Keyword: Operational Policing

Subject: Police Officers on Duty Christmas 2014

Request and Answer:

This is refinement from F-2014-05961

Question 1

Please supply me with the number of warranted police officers in your constabulary (excluding special constables and police community support officers) who were rostered on active duty at the beginning of each operational shift during Christmas Day, 25th December 2014.

Question 2

Please supply a separate figure for all shifts that were operational (i.e. including those spanning 24/25 and 25/26) at any point during that day.

Please only include officers (of any rank) rostered to serve a full shift. Please exclude any officers drafted in from other forces for special events such as football matches.

Answer

Your request for information has now been considered and the decision has been taken not to supply the information you have requested.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, (PSNI) 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/s, 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 31(1)(a)(b) - Law Enforcement, is a prejudice based, qualified exemption, this means that it is the Public Authority's responsibility to evidence the Harm and carry out a Public Interest Test. A summary of the Harm for Section 31 along with the Public Interest Test is provided below.

Once information is disclosed under Freedom of Information there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a release to the world in general, not just to the individual requesting the information.

Disclosing how many officers were on duty on a specific date (i.e. Christmas Day 2014) could assist those intent on criminal activity in the future to use the information for their own purposes thus adversely affecting the PSNI's law enforcement role. In the current climate of austerity and cut backs throughout the public sector the number of police officers on duty on Christmas Day 2014 is likely to be the same or even less on Christmas Day 2015. Release of this information could potentially risk the safety of police officers and members of the public. PSNI's ability to prevent and detect crime and to apprehend and prosecute offenders may also be compromised. Criminal elements would be able to cause a distraction or false alarm tying up resources and exposing another area to criminal exploitation. The release of this type of information would rarely be in the Public Interest and may reduce the PSNI's capability to perform its overall functions.

Public Interest Test

Factors Favouring Release - Section 31

Release of the number of officers on duty on Christmas Day 2014 would lead to a better informed public and would show transparency and accountability on the part of PSNI.

Factors Favouring Retention - Section 31

Disclosing the number of police officers on duty on Christmas Day 2014 would compromise law enforcement tactics and more crime could be committed. This would have an impact on police resources and would hinder the prevention or detection of crime and place both police officers and members of the public at increased risk.

Decision

PSNI is tasked with the prevention and detection of crime and protecting the public. At this time of increased threat of terrorism, releasing the number of police officers on duty on Christmas Day 2014 into the public domain would not be in the public interest. It is acknowledged that wherever possible policing procedures must be transparent and accountable. However, police need to make balanced judgements which justify why some information needs to remain exempt and unpublished.

Criminal elements could use this information to distract or attack police, therefore compromising the law enforcement role of police and placing police officers at serious risk.

PSNI remains under severe threat from Dissident Republicans and disclosure of this information has the potential to assist those intent on carrying out attacks on police officers. Whilst the PSNI would always wish to be transparent and accountable no release under FOI should be made where lives would be put at risk.

I have determined that the release of the information requested into the public domain would therefore not be in the public interest.

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.