



FREEDOM OF INFORMATION REQUEST



Request Number: F-2015-01875

Keyword: Operational Policing

Subject: Police Use of Divers

Request and Answer:

Question

All police use of divers in the calendar years 2013, 2014 and 2015 up to 31st May inclusive. I define 'police use of divers' as any time a dive unit, either in-house or on the force's behalf, has trawled a body of water for police work.

For each expedition, please detail:

- a) The date(s)
- b) The body or bodies of water searched
- c) A brief description of the purpose of the expedition
- d) Anything recovered

I would prefer the data to be supplied in soft copy .xls format.

Answer

I am writing to confirm that the Police Service of Northern Ireland (PSNI) has now completed its search for the information requested

I have today decided to:

- disclose the information requested subject to the redaction of information pursuant to the provisions of Section 30 of the Freedom of Information Act (2000).

Please see attached at the end of this correspondence on pages 1 – 5, a table showing police use of divers between 1st January 2013 and 31st March 2015 subject to some redactions. This is the period currently available.

Section 17(1) of the Freedom of Information Act 2000 requires the 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, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 30(1)(a) – Investigations

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk

Section 30 is a qualified and class-based exemption which means that there is no requirement to evidence the Harm in release but a Public Interest Test must be conducted.

Public Interest Test

Factors Favouring Release

The information simply relates to searches that were carried out by police divers and release would reassure the public that the PSNI is effectively engaging with its investigative role. All police investigations will involve the use of public funds and where this is the case there is always a public interest in ensuring that those funds are not used unnecessarily or unwisely.

Factors Against Release

The redacted information is held for the purposes of an investigation. If the PSNI were to release such information it would seriously compromise and undermine criminal investigations and hinder the course of justice. An investigation may be prejudiced by premature release of information resulting in loss of evidence or alerting a suspect. Also, disclosure could infringe on a suspect's right to a fair trial, as well as on the rights of the victims if a prosecution were to fail due to disclosure of the information.

Decision

While there is a strong public interest in releasing the information requested the PSNI must ensure that an investigation is not adversely affected by the release of information. On balance the requirement to withhold the information relating to a criminal investigation, the release of which may affect the outcome of an investigation or court proceedings, must therefore take precedence.

The public interest, in this instance, is therefore best served by not releasing the information to which you seek access.

Partial Neither Confirm nor Deny

The PSNI can neither confirm nor deny that it holds any other information relevant to this request, as the duty in Section 1(1)(a) of the Freedom of Information Act (2000) does not apply by virtue of the following exemption:

Section 30(3) Investigations and Proceedings Conducted by Public Authorities

Factors favouring confirmation or denial for Section 30

By confirming or denying that any other information relevant to this request exists would satisfy the public that investigations are conducted properly and that public money is being well spent.

Factors against confirmation or denial for Section 30

By confirming or denying that any other information relevant to this request exists, would hinder the prevention or detection of crime, as it would indicate whether any current investigations are ongoing and would undermine any such investigation.

Balance Test

The protection of investigations is of paramount importance and the PSNI will not divulge whether any other information is or is not held if to do so could undermine that investigation. Whilst there is

public interest in the transparency of policing operations and, in this case, investigations there is very strong public interest in safeguarding the investigations in order to ensure that the crime/ incident is appropriately investigated.

Although there is a public interest in knowing how often divers are used and in what circumstances so that the PSNI can be held to account regarding their cost and use, this is outweighed by the greater interest in ensuring that information is not disclosed that could hinder a police investigation, which would affect the ability of the PSNI to detect that particular crime or understand the incident fully.

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.

Calander Year to Date Operational Deployment	Date of Deployment	Location of Search.	Nature of Request.	Result
1	04-Jan-13	North Belfast	Misper search - Flooded confined space	Nothing found
2	12-Feb-13			
3	14-Feb-13			
4	19-Feb-13			
5	04-Mar-13			
6	10-Apr-13	River Lagan, Belfast	Misper Search	Nothing found
7	19-Apr-13	Banbridge	Misper Search	Nothing found
8	29-Apr-13	River Foyle L'derry	Misper Search	Nothing found
9	02-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
10	14-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
11	15-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
12	16-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
13	17-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
14	27-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
15	28-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
16	29-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
17	30-May-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
18	01-Jun-13	Quarry, Annalong	Misper search	Bodies recovered
19	10-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
20	10-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
21	11-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared

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22	11-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
23	12-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
24	12-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
25	13-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
26	13-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
27	14-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
28	14-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
29	14-Jun-13	Lough Russell, Enniskillen	Misper Search	Nothing found
30	15-Jun-13	Lough Russell, Enniskillen	Misper Search	Nothing found
31	15-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
32	15-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
33	16-Jun-13	River Lagan, Belfast	Defensive Search	Area cleared
34	16-Jun-13	Route Search of River Bridges	Defensive Search	Area cleared
35	17-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
36	17-Jun-13	River Lagan, Belfast	Defensive Search	Area cleared
37	18-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
38	18-Jun-13	Reservoir, Carrickfergus	Misper search	Body recovered
39	24-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
40	25-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
41	26-Jun-13	Lough Erne, Enniskillen	Defensive Search	Area cleared
42	26-Jun-13	Lough Erne, Enniskillen	Search for lost property	Nothing found
43	15-Jul-13	Lough, Drumquin	Misper search	Nothing found
44	17-Jul-13	Lough, Drumquin	Misper search	Nothing found
45	19-Jul-13	River Lagan, Donaghcloney	Misper search	Body recovered
46	20-Jul-13	Newtownstewart	Misper search	Body recovered
47	31-Jul-13			
48	05-Aug-13	Belfast Harbour	Search of Ships Keel	Nothing found
49	31-Aug-13	Camalough Lake, Newry	Misper search	Body recovered

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50	23-Sep-13	Ramore Head, Portrush	Misper search	Nothing found
51	24-Sep-13	Ramore Head, Portrush	Misper search	Nothing found
52	09-Oct-13			
53	14-Oct-13			
54	15-Oct-13	Omagh	Misper search	Body recovered
1	22-Jan-14	River Foyle, L'derry	Misper search	Nothing found
2	23-Jan-14	River Straid, Ballymena	Misper search	Nothing found
3	25-Jan-14	River Straid, Ballymena	Misper search	Nothing found
4	26-Jan-14	River Foyle, L'derry	Misper search	Nothing found
5	07-Mar-14	River Lagan, Belfast	Misper search	Body recovered
6	25-Mar-14	River Lagan, Lisburn	Misper search	Nothing found
7	26-Mar-14	River Lagan, Lisburn	Misper search	Body recovered
8	03-Apr-14			
9	23-Apr-14	Coastal Search, Portrush	Misper search	Nothing found
10	01-May-14			
11	17-May-14	River Erne, Enniskillen	Misper search	Body recovered
12	16-Jun-14	Belfast Harbour	Hull search	Hull Searched nothing found
13	24-Jun-14	Newry canal	Vehicle seen entering canal	Body recovered
14	26-Aug-14	River Bann, Maghery	Potential Misper	Nothing found
15	18-Oct-14	Lacken Road, Castlewellan	Rally car submerged in lake	Body recovered
16	20-Nov-14	River Lagan	Misper Search	Nothing found
17	21-Nov-14	River Lagan	Misper Search	Nothing found
18	22-Nov-14	River Lagan	Misper Search	Nothing found
19	24-Nov-14	River Lagan	Misper Search	Nothing found
20	24-Nov-14	River Lagan	Misper Search	Nothing found
21	25-Nov-14	River Lagan	Misper Search	Nothing found
22	26-Nov-14	River Lagan	Misper Search	Nothing found

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23	27-Nov-14	River Lagan	Misper Search	Nothing found
24	28-Nov-14	River Lagan	Misper Search	Nothing found
25	29-Nov-14	River Lagan	Misper Search	Nothing found
26	02-Dec-14	River Lagan	Misper Search	Nothing found
27	19-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
28	19-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
29	19-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
30	23-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
31	23-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
32	29-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
33	29-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
34	29-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
35	29-Dec-14	River Erne, Enniskillen	Misper Search	Nothing found
36	31-Dec-14	Coastal search in sea off Bangor	Misper Search	Nothing found
37	31-Dec-14	Coastal search in sea off Bangor	Misper Search	Nothing found
38	31-Dec-14	Coastal search in sea off Bangor	Misper Search	Nothing found
1	02-Jan-15	River Erne, Enniskillen	Misper Search	Nothing found
2	03-Jan-15	River Erne, Enniskillen	Misper Search	Nothing found
3	07-Jan-15			
4	21-Jan-15	River Erne, Enniskillen	Misper Search	Nothing found
5	25-Jan-15	River Erne, Enniskillen	Misper Search	Nothing found
6	26-Jan-15	River Erne, Enniskillen	Misper Search	Nothing found
7	31-Jan-15	River Erne, Enniskillen	Misper Search	Nothing found
8	06-Feb-15	River Erne, Enniskillen	Misper Search	Nothing found
9	06-Feb-15	River Erne, Enniskillen	Misper Search	Nothing found
10	17-Feb-15			
11	18-Feb-15			

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12	25-Mar-15	Well, Portrush	Misper Search	Nothing found
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