



FREEDOM OF INFORMATION REQUEST



Request Number: F-2017-01244

Keyword: Crime

Subject: Historical Allegations

Request and Answer:

Question 1

Is it PSNI policy to request service records of suspects or witnesses, from the UK Armed Forces, to assist them with Historical Allegations?

Answer

Your request for information has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act 2000 I can confirm that the Police Service of Northern Ireland does hold information to which your request relates.

No policy exists regarding requesting service records of suspects or witnesses from the UK Armed Forces to assist in investigating historical allegations.

Legacy Investigation Branch has however advised that service records have been requested for those members of the military whose service is a relevant feature of a historic homicide investigation.

Question 2

How are such requests made, to which department of the MOD, and under what provisions for the Data Protection Act are these requests granted?

Answer

Formal requests for service records of serving or former serving members of the Armed Forces may be requested through a number of channels within the Ministry of Defence including the Army Personnel Centre and the Army Headquarters in Northern Ireland under section 29(3) Data Protection Act 1998.

Question 3

Is it PSNI policy to notify the subject if disclosure has taken place?

Answer

No policy exists regarding notifying a subject if disclosure has taken place. Legacy Investigation Branch has however advised that it is not their practice to advise the subject of an application.

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.