



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-01923

Keyword: Operational Policing

Subject: European Arrest Warrants

Request and Answer:

Request 1

Please could you provide me: The number of European Arrest Warrants a) requested and b) executed by the police force in each of the last five years.

Answer

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken not to supply the information you have requested and the reasons for this are set out in more detail below. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

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.

Section 23(1) - Information supplied by, or relating to, bodies dealing with security matters –

Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

Section 23 is a class based, absolute exemption, which means there is no requirement to articulate any public interest considerations or for the disclosure to prejudice the work of any of the bodies it covers in anyway. To engage section 23 (1), the requested information simply has to have been supplied directly or indirectly by one of the named security bodies, or relate to one of those bodies.

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.

The exemption captures information supplied directly by a security body and information originating from a security body that is provided by a third party. In this way the exemption can protect intelligence as it is disseminated through different channels.

The exemption is also engaged where information “relates to” a security body. The term “relates to” is interpreted widely and includes any information concerning or linked to the activities of a security body.

The police service may engage at times with the bodies listed at Section 23 of the FOIA and on occasions there may be information provided to police from one of these bodies. In this case PSNI considers the information you have requested is absolutely exempt from the Freedom of Information Act by virtue of the exemption provided by section 23 (1) of the FOIA.

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.