



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2018-02363

**Keyword:** Crime

**Subject:** Paramilitary Style Attacks

### Request and 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 some information to which your request relates and this is being provided to you. We further consider the information you seek in request number 6 is exempt by virtue of Section 31 of FOIA and have detailed our rationale as to why this exemption applies. 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.

### Request 1

Pursuant to the Freedom of Information Act (2000), I am seeking statistics relating to the following questions. How many paramilitary style attacks (assaults and shootings) have been recorded by the PSNI in the last 3 calendar years (2015-2018)?

### Answer

Please see the table below detailing the number of casualties as a result of paramilitary style attacks (assaults and shootings) by calendar year.

Calendar Year	Number of casualties as a result of paramilitary style assaults <sup>(2)</sup>	Number of casualties as a result of paramilitary style shootings <sup>(2)</sup>	Total
2015	62	26	88
2016	65	20	85
2017	73	28	101
2018 <sup>(1)</sup>	45	14	59
<b>Total</b>	<b>245</b>	<b>88</b>	<b>333</b>

**Source: PSNI Statistics Branch, Lisnasharragh**

(1) 2018 figures cover the period 1 January 2018 to 31 October 2018. Figures are provisional and subject to change.

(2) Paramilitary style assaults/shootings that result in death are counted as security related deaths and are not reflected in the paramilitary style assault/shooting figures.

## Request 2

What are the age and gender of the victims?

### Answer

Please see the table below detailing a breakdown by age group for the 333 casualties of paramilitary style attacks by calendar year.

Age Group	2015	2016	2017	2018 <sup>(1)</sup>	Total
Under 16	0	1	1	0	2
16 - 25	34	35	41	19	129
26 - 35	27	27	30	21	105
36 - 45	21	15	15	11	62
46 - 55	5	4	12	6	27
56 and over	1	3	2	2	8
<b>Total</b>	<b>88</b>	<b>85</b>	<b>101</b>	<b>59</b>	<b>333</b>

*Source: PSNI Statistics Branch, Lisnasharragh*

*(1) 2018 figures cover the period 1 January 2018 to 31 October 2018. Figures are provisional and subject to change.*

Please see the table below detailing a breakdown by gender for the 333 casualties of paramilitary style attacks by calendar year.

Gender	2015	2016	2017	2018 <sup>(1)</sup>	Total
Male	84	82	98	57	321
Female	4	3	3	2	12
<b>Total</b>	<b>88</b>	<b>85</b>	<b>101</b>	<b>59</b>	<b>333</b>

*Source: PSNI Statistics Branch, Lisnasharragh*

*(1) 2018 figures cover the period 1 January 2018 to 31 October 2018. Figures are provisional and subject to change.*

## Request 3

What type of weapons were used?

### Answer

Please see the table below detailing the weapons that have been used on the 245 casualties of paramilitary style assaults by calendar year. The type of weapon used is not validated and the information has simply been extracted from the PSNI Security database. Each row represents one casualty. Type of weapon is not recorded for paramilitary-style shootings.

Casualty Reference Number	Weapon
<b>2015</b>	
Casualty 1	CROW BAR
Casualty 2	BATS AND STICKS
Casualty 3	BASEBALL BATS
Casualty 4	IRON BARS AND BATONS
Casualty 5	BASEBALL BATS
Casualty 6	BATS
Casualty 7	NONE/UNKNOWN
Casualty 8	BASEBALL BATS AND IRON BARS
Casualty 9	NONE/UNKNOWN
Casualty 10	IRON BARS
Casualty 11	SLEDGE AND BLOCK HAMMERS
Casualty 12	BASEBALL BATS
Casualty 13	BASEBALL BATS/IRON BARS
Casualty 14	BASEBALL BATS/IRON BARS

Casualty 15	NONE/UNKNOWN
Casualty 16	BASEBALL BATS
Casualty 17	BASEBALL BATS
Casualty 18	IRON BARS
Casualty 19	BASEBALL BATS AND A HATCHET
Casualty 20	BASEBALL BATS AND SCREWDRIVERS
Casualty 21	BASEBALL BATS AND A HATCHET
Casualty 22	BASEBALL BATS
Casualty 23	BASEBALL BATS
Casualty 24	NONE/UNKNOWN
Casualty 25	POLES
Casualty 26	POLES
Casualty 27	NONE/UNKNOWN
Casualty 28	BRICKS AND AXE
Casualty 29	METAL POLE
Casualty 30	WOODEN BATONS
Casualty 31	IRON BAR
Casualty 32	HAMMER, NAILS
Casualty 33	BATONS
Casualty 34	BASEBALL BATS, WOODEN BATONS
Casualty 35	FLICK BATON
Casualty 36	PLANK OF WOOD
Casualty 37	NONE/UNKNOWN
Casualty 38	SLEDGE HAMMERS
Casualty 39	BASEBALL BATS
Casualty 40	BASEBALL BATS
Casualty 41	SHOTGUN
Casualty 42	NONE/UNKNOWN
Casualty 43	NONE/UNKNOWN
Casualty 44	STICKS
Casualty 45	HANDGUN
Casualty 46	BASEBALL BAT
Casualty 47	BASEBALL BATS & SLEDGE HAMMER
Casualty 48	BATS & BLADE STUDDERED WOOD
Casualty 49	NONE/UNKNOWN
Casualty 50	HAMMERS
Casualty 51	HATCHET
Casualty 52	HANDGUN, IRON BAR
Casualty 53	SLEDGE HAMMER & KNIFE
Casualty 54	A HAMMER
Casualty 55	BASEBALL BATS & GOLF CLUBS
Casualty 56	HANDGUNS & HAMMER
Casualty 57	BASEBALL BAT
Casualty 58	GUN
Casualty 59	GOLF CLUB
Casualty 60	NONE/UNKNOWN
Casualty 61	BASEBALL BATS & SLEDGE HAMMER
Casualty 62	AXES AND HAMMERS.
<b>2016</b>	
Casualty 63	BASEBALL BATS

Casualty 64	NONE/UNKNOWN
Casualty 65	NONE/UNKNOWN
Casualty 66	NONE/UNKNOWN
Casualty 67	IRON BAR
Casualty 68	NONE/UNKNOWN
Casualty 69	BASEBALL BAT
Casualty 70	BASEBALL BATS & HAMMER
Casualty 71	HAMMER
Casualty 72	HAMMER
Casualty 73	SLEDGE HAMMER AND IRON BARS
Casualty 74	IRON BARS
Casualty 75	BASEBALL BAT
Casualty 76	HAMMERS
Casualty 77	HAMMERS & AXE
Casualty 78	PICKAXE HANDLES & CROWBARS
Casualty 79	NONE/UNKNOWN
Casualty 80	METAL BAR
Casualty 81	TASER
Casualty 82	NONE/UNKNOWN
Casualty 83	IRON BARS
Casualty 84	NAIL STUDDED BATS
Casualty 85	BASEBALL BAT
Casualty 86	WHEEL BRACE & HURLEY STICK
Casualty 87	HANDGUN
Casualty 88	HAMMERS
Casualty 89	NONE/UNKNOWN
Casualty 90	NONE/UNKNOWN
Casualty 91	IRON BAR & HURLEY STICKS
Casualty 92	METAL BAR & BASEBALL BAT
Casualty 93	CROWBARS
Casualty 94	HAMMERS & BASEBALL BATS
Casualty 95	BAT
Casualty 96	CHAIRS
Casualty 97	AIR WEAPON
Casualty 98	BATS
Casualty 99	KNUCKLE DUSTER
Casualty 100	CROWBAR
Casualty 101	BAT
Casualty 102	NONE/UNKNOWN
Casualty 103	BASEBALL BATS
Casualty 104	NONE/UNKNOWN
Casualty 105	BASEBALL BATS
Casualty 106	METAL POLES
Casualty 107	CROW BAR
Casualty 108	IRON BAR, AXE, HAMMER
Casualty 109	NONE/UNKNOWN
Casualty 110	IRON BARS AND BASEBALL BATS
Casualty 111	NONE/UNKNOWN
Casualty 112	NAIL STUDDED BASEBALL BATS
Casualty 113	NAIL STUDDED BASEBALL BATS

Casualty 114	HAMMERS / KNUCKLE DUSTERS
Casualty 115	IRON BARS
Casualty 116	IRON BARS
Casualty 117	NONE/UNKNOWN
Casualty 118	NONE/UNKNOWN
Casualty 119	IRON BARS & TASER
Casualty 120	FLICK BATON
Casualty 121	FLICK BATON
Casualty 122	IRON BARS
Casualty 123	POLES & IRON BARS
Casualty 124	NONE/UNKNOWN
Casualty 125	HAMMER
Casualty 126	HAMMER
Casualty 127	BASEBALL BAT
<b>2017</b>	
Casualty 128	HANDGUN
Casualty 129	WOODEN BATS
Casualty 130	WOODEN BATS
Casualty 131	WOODEN BATS
Casualty 132	HATCHET
Casualty 133	BAR BELL
Casualty 134	BAR BELL
Casualty 135	BRICKS
Casualty 136	BASEBALL BATS / METAL PIPES
Casualty 137	NONE/UNKNOWN
Casualty 138	BATONS
Casualty 139	BASEBALL BATS & HAMMERS
Casualty 140	NONE/UNKNOWN
Casualty 141	HAMMERS & CROWBARS
Casualty 142	HAMMERS & CROWBARS
Casualty 143	SEWER RODS BASEBALL BAT KNIFE
Casualty 144	SLEDGE HAMMER
Casualty 145	SLEDGE HAMMER
Casualty 146	CROWBAR & BASEBALL BATS
Casualty 147	PICK AXE HANDLES BASEBALL BAT
Casualty 148	KNUCKLE DUSTER / WEIGHTS BAR
Casualty 149	BASEBALL BATS
Casualty 150	BASEBALL BATS
Casualty 151	NONE/UNKNOWN
Casualty 152	NONE/UNKNOWN
Casualty 153	NONE/UNKNOWN
Casualty 154	BATONS & BASEBALL BATS
Casualty 155	IRON BARS
Casualty 156	NONE/UNKNOWN
Casualty 157	WOODEN PLANKS & STICKS
Casualty 158	BASEBALL BAT & KNIFE
Casualty 159	CROWBAR
Casualty 160	IRON BAR
Casualty 161	BASEBALL BATS & CLAW HAMMERS
Casualty 162	BASEBALL BATS

Casualty 163	NONE/UNKNOWN
Casualty 164	CROWBAR
Casualty 165	CROWBAR
Casualty 166	NONE/UNKNOWN
Casualty 167	NONE/UNKNOWN
Casualty 168	METAL BAR
Casualty 169	NONE/UNKNOWN
Casualty 170	NONE/UNKNOWN
Casualty 171	NONE/UNKNOWN
Casualty 172	BASEBALL BATS
Casualty 173	BASEBALL BATS
Casualty 174	IRON BARS
Casualty 175	HAMMERS
Casualty 176	NONE/UNKNOWN
Casualty 177	BASEBALL BATS
Casualty 178	HAMMER
Casualty 179	HAMMER
Casualty 180	BASEBALL BAT, HAMMER
Casualty 181	BASEBALL BAT, HAMMER
Casualty 182	BASEBALL BATS
Casualty 183	BASEBALL BAT
Casualty 184	NONE/UNKNOWN
Casualty 185	HATCHET
Casualty 186	HANDGUN
Casualty 187	NONE/UNKNOWN
Casualty 188	NONE/UNKNOWN
Casualty 189	BASEBALL BATS
Casualty 190	FLICK STICK
Casualty 191	HANDGUN
Casualty 192	HAMMERS , AXES & BASEBALL BATS
Casualty 193	HAMMERS , AXES & BASEBALL BATS
Casualty 194	NONE/UNKNOWN
Casualty 195	BASEBALL BAT
Casualty 196	BASEBALL BATS
Casualty 197	BASEBALL BATS
Casualty 198	CROWBAR
Casualty 199	NONE/UNKNOWN
Casualty 200	HAMMERS
<b>2018<sup>(1)</sup></b>	
Casualty 201	HAMMERS
Casualty 202	MALLETS, HAMMERS, & B/BATS
Casualty 203	MALLETS, HAMMERS, & B/BATS
Casualty 204	BASEBALL BATS, HAMMERS
Casualty 205	IRON BARS, BASEBALL BATS
Casualty 206	SLEDGE HAMMER AND CROWBAR
Casualty 207	NONE/UNKNOWN
Casualty 208	IRON BARS
Casualty 209	HAMMERS & BASEBALL BATS
Casualty 210	IRON BARS
Casualty 211	KNUCKLE DUSTER & HAMMER

Casualty 212	HAMMER & CHAIN
Casualty 213	HAMMER & CHAIN
Casualty 214	BATS
Casualty 215	STUDED CLUBS & BATS
Casualty 216	PICKAXE HANDLE
Casualty 217	NONE/UNKNOWN
Casualty 218	NONE/UNKNOWN
Casualty 219	NONE/UNKNOWN
Casualty 220	SLEDGE HAMMER
Casualty 221	IRON BARS, BASEBALL BATS
Casualty 222	HANDGUNS
Casualty 223	NONE/UNKNOWN
Casualty 224	HAMMERS
Casualty 225	CHAIR
Casualty 226	BASEBALL BATS
Casualty 227	BASEBALL BATS & HAMMER
Casualty 228	NONE/UNKNOWN
Casualty 229	FLICK BATONS
Casualty 230	HAMMER, WOODEN BATONS
Casualty 231	IRON BAR, BASEBALL BATS
Casualty 232	NONE/UNKNOWN
Casualty 233	KNUCKLE DUSTER
Casualty 234	BATS
Casualty 235	BATS
Casualty 236	NONE/UNKNOWN
Casualty 237	IRON BARS
Casualty 238	CROWBARS SLEDGE HAMMERS
Casualty 239	BASEBALL BATS, WHEELBRACE
Casualty 240	HAMMER, IRON BARS
Casualty 241	HAMMERS
Casualty 242	HAMMERS
Casualty 243	HAMMER
Casualty 244	NONE/UNKNOWN
Casualty 245	HAMMER

*Source: PSNI Statistics Branch, Lisnasharragh*

#### **Request 4**

What were the location of these attacks (by policing district, please)?

#### **Answer**

Please see the table below detailing the number of casualties of paramilitary style attacks by policing district.

<b>Policing District</b>	2015	2016	2017	2018 <sup>(1)</sup>	Total
Belfast City	39	42	42	26	<b>149</b>
Lisburn & Castlereagh City	1	2	2	0	<b>5</b>
Ards & North Down	7	8	18	8	<b>41</b>
Newry, Mourne & Down	0	1	0	2	<b>3</b>
Armagh City, Banbridge & Craigavon	2	1	1	0	<b>4</b>
Mid Ulster	2	2	0	2	<b>6</b>
Fermanagh & Omagh	0	0	0	0	<b>0</b>
Derry City & Strabane	7	6	14	4	<b>31</b>
Causeway Coast & Glens	6	6	6	4	<b>22</b>
Mid & East Antrim	12	14	13	5	<b>44</b>
Antrim & Newtownabbey	12	3	5	8	<b>28</b>
<b>Total</b>	<b>88</b>	<b>85</b>	<b>101</b>	<b>59</b>	<b>333</b>

*Source: PSNI Statistics Branch, Lisnasharragh*

2018 figures cover the period 1 January 2018 to 31 October 2018. Figures are provisional and subject to change.

### **Request 5**

How many of these attacks resulted in a charge?

#### **Answer**

There have been 7 PSA offences recorded from 1 January 2015 to 30 September 2018 that have since been detected by means of charge:

2015 – 3

2016 – 3

2017 – 1

2018 – 0

Detected figures are correct as at 03 December 2018. **Please note:** these figures are subject to change, should an outcome be recorded in the future for an offence which was recorded within this time period.

### **Request 6**

Of these charges, how many relied solely on forensic evidence?

#### **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, 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** – Information would be likely to prejudice (a) the prevention or detection of crime (b) the apprehension or prosecution of offenders



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

Section 31 is a prejudiced based, qualified exemption which means the PSNI must demonstrate harm in disclosure and consider the balance of the public interest in releasing the information.

### **Harm**

Disclosure of the requested information would provide a breakdown of data into a very granular format and there is potential harm of undermining policing capabilities. The disclosure of such information could enable paramilitary groups to glean information from this data, aiding their criminal activities to avoid detection.

### Factors Favouring Disclosure

Releasing this information would better inform the public, demonstrating transparency and accountability on the part of the PSNI.

### Factors Against Disclosure

The release of information which could reveal details on the effectiveness of policing operations, taken on its own or together with other information, either already available or the subject of further requests, could therefore damage the law enforcement capabilities of the PSNI.

### **Decision**

PSNI is tasked with the prevention and detection of crime and protecting the public. It has been determined that to disclose the requested information into the public domain would not be in the public interest at this time. For the reasons outlined above, it has been determined that criminal elements could potentially use this information to determine which police operations have been successful and that this would aid them as they attempt to avoid future law enforcement activities.

**The release of information under FOI is a release into the public domain and not just to the individual requesting the information. Once information is disclosed by FOI, there is no control or limits as to how the information is shared with other individuals, therefore a release under FOI is considered a release to the world in general.**

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Whilst there is a public interest in the transparency of policing and providing assurance that the Police Service is appropriately and effectively engaging with the threat of criminals there is also a very strong public interest in safeguarding the law enforcement role of police.

**In addition, PSNI neither confirms nor denies that it holds any other information relevant to the request by virtue of the following exemptions:**

Section 23(5) - Information Supplied by, or concerning, certain Security Bodies - confirmation or denial would likely prejudice information directly or indirectly supplied to the public authority by, or relates to, any specified bodies

Section 24(2) - National Security - confirmation or denial would likely prejudice safeguarding national security

Section 30(3) - Investigations - confirmation or denial would likely prejudice investigations and

proceedings conducted by public authorities

Section 31(3) - Law Enforcement - confirmation or denial would likely prejudice the prevention or detection of crime and the apprehension or prosecution of offenders

Section 38(2) - Health & Safety – the duty to confirm or deny does not arise if it would or would likely endanger the physical or mental health of any individual

Section 40(5B)(a)(i) - Personal Information - the duty to confirm or deny does not arise if to do so would contravene any of the data protection principles.

#### 'Neither Confirm nor Deny' (NCND)

There may be occasions when complying with the duty to confirm or deny under section 1(1) (a) would in itself disclose sensitive or potentially damaging information that falls under an exemption. In these circumstances, the Act allows a public authority to respond by refusing to confirm or deny whether it holds the requested information.

The decision to issue a 'neither confirm nor deny' response is not affected by whether we do or do not hold the information but relates to the consequences of confirming or denying the information is held. The starting point and main focus in most cases will be theoretical considerations about the consequences of confirming or denying that a particular type of information is held. The decision to neither confirm nor deny is separate from a decision not to disclose information and needs to be taken entirely on its own merits.

PSNI follow the Information Commissioner's Guidance in relation to 'NCND' and you may find it helpful to refer to this at the following link:

[https://ico.org.uk/media/for-organisations/documents/1166/when\\_to\\_refuse\\_to\\_confirm\\_or\\_deny\\_section\\_1\\_foia.pdf](https://ico.org.uk/media/for-organisations/documents/1166/when_to_refuse_to_confirm_or_deny_section_1_foia.pdf)

#### **Exemptions explained**

Section 23 is a class based absolute exemption and there is no requirement to consider the public interest. Confirming or denying the existence of whether any other information is held would contravene the constrictions laid out within Section 23 of the Freedom of Information Act 2000 in that this stipulates a generic bar on disclosure of any information applied by, or concerning, certain Security Bodies.

Section 24 is a qualified exemption and there is a requirement to complete a Public Interest Test in confirmation or denial.

Section 30 is a class based qualified exemption and there is a requirement to consider the public interest to ensure neither confirming or denying information is held is appropriate.

Sections 31 and 38 are prejudice based qualified exemptions and there is a requirement to evidence the prejudice (harm) in disclosure and consider the public interest to ensure neither confirming or denying that information is held is appropriate.

Section 40 is a class based exemption; therefore it is not necessary to carry out a public interest test.

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

#### **40(5B)(a)(i) - Personal Information**

The release of information under Freedom of Information (FOI) is a release into the public domain and not just to the individual requesting the information. Once information is disclosed by FOI

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 disclosure to the world in general.

To confirm or deny that the PSNI hold or do not hold any other information would in fact confirm information about an individual including the fact it may or may not be held. This would amount to a release into the public domain of personal information about an individual. The individual would have no expectation that these details would be released into the public domain, therefore their data protection rights would be breached by release.

### **Section 23(5) – Information supplied by, or relating to, bodies dealing with security matters**

Section 1(1) (a) of the Act requires a public authority to confirm whether it holds the information that has been requested. Section 23(5) provides an exemption from this duty. Section 23(5) of the FOIA states that “the duty confirm or deny does not arise if, or to the extent that, compliance with section 1(1) (a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3).”

The police service in its’ fight against crime and terrorism 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. As advised above the decision to issue a NCND response is not affected by whether we do or do not hold the information but relates to the consequences of confirming or denying the information is held. The NCND response is used to avoid risks caused by providing inconsistent responses to a series of similar requests where the information may originate from a number of sources and not necessarily a security body.

### **Section 30(3) - Investigations**

Where Section 30(3) applies, PSNI neither confirm nor deny it holds any other information relating to investigations or proceedings, this is subject to a public interest test. The ability to neither confirm nor deny, can only be maintained in the public interest if confirmation or denial would interfere with the effective conduct of the investigations or proceedings. Similarly the NCND provision under Section 31(3) and its equivalent under section 30(3) are not mutually exclusive; they can both be claimed in respect of the same information.

### **Harm in Confirming or Denying that Any Other Information is Held**

Any release under FOIA is a disclosure to the world, not just to the individual making the request. Police forces work in conjunction with other agencies and on a daily basis information is freely shared in line with information sharing protocols. Modern day policing is intelligence led and this is particularly pertinent with regard to law enforcement.

The public expect police forces and other law enforcement agencies, which may or may not include agencies outside of the United Kingdom, to use all powers and tactics available to prevent and detect crime or disorder and maintain public safety. Police forces work in conjunction with other agencies and as stated above information is freely shared within these agencies in line with any current information sharing agreements and legislative requirements.

In addition, if information were held, it would fall within the scope of Section 38 of the FOI Act, as it could impact the physical or mental health of individuals, family members, friends or relatives or potentially endanger their safety.

### **Public Interest**

#### Section 24 - Factors Favouring Confirmation or Denial

The information if held simply relates to national security and confirming or denying whether any other information is held would not actually harm it. The public are entitled to know what public funds are spent on and what security measures are in place and by confirming or denying whether any other information is held, would lead to a better informed public.

#### Section 24 - Factors Against Confirmation or Denial

By confirming or denying whether any other information is held would render security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infrastructure of the UK and increase the risk of harm to the public.

#### Section 30 - Factors Favouring Confirmation or Denial

There is a public interest in the transparency of policing operations and to provide assurance that the PSNI is appropriately and effectively dealing with crime. Confirming or denying that any other information exists relevant to this request would lead to a better informed public demonstrating that PSNI undertake evidence gathering appropriately and in line with current legislation in order to assist criminal investigations.

#### Section 30 - Factors Against Confirmation or Denial

Confirmation or denial would highlight that police resources are being utilised to focus on specific areas of criminal activity. Whilst there is a public interest in the transparency of policing operations and providing assurance that PSNI is appropriately and effectively dealing with crime, there is a strong public interest in safeguarding the integrity of police investigations and operations and in maintaining confidence in the Police Service.

#### Section 31 - Factors Favouring Confirmation or Denial

Confirmation or denial could promote public trust in providing transparency, demonstrating openness and accountability.

#### Section 31 - Factors Against Confirmation or Denial

A confirmation or denial that any other information is held would impact police intelligence. The PSNI take their responsibility to obtain and gather firm evidence as part of their investigative process seriously in that it is only ever obtained as per current legislative frameworks to aid the delivery of effective law enforcement and the harm to the law enforcement capability outweighs the need to confirm or deny.

#### Section 38 - Factors Favouring Confirmation or Denial

Confirmation or denial would demonstrate openness and transparency and allow for a better informed public.

#### Section 38 - Factors Against Confirmation or Denial

Confirmation or denial of any other information has the potential to place individuals at risk.

### **Decision**

Confirmation or denial of whether the PSNI hold any other information would amount to a release of information either on this occasion or on other occasions where a similar request is made. A disclosure of information under Freedom of Information is a release to the world in general and not just to the individual requesting the information. Once information is disclosed by FOI 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 disclosure to the world in general.

The security of the country is of paramount importance and the Police service will not divulge whether any other information is or is not held if to do so would undermine National Security.

Whilst there is a public interest in the transparency of policing operations and providing assurance that the police service is appropriately and effectively engaging with the threat posed by various groups or individuals, there is a very strong public interest in safeguarding the integrity of police investigations. As much as there is public interest in knowing that policing activity is appropriate and balanced this will only be overridden in exceptional circumstances. The areas of police interest discussed above are sensitive issues that reveal local intelligence and therefore it is our opinion that for these issues the balancing test for confirming or denying whether any other information is held is not made out.

Taking into account the current security climate within the United Kingdom, information which may aid criminal elements should not be disclosed. To what extent information may aid criminals/terrorists is unknown, but it is clear that it would impact on a force's ability to monitor criminal/terrorist activity.

Irrespective of what information is or is not held, the public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain. The cumulative effect of terrorists gathering information from various sources would be even more impactful when linked to other information gathered from various sources about terrorism.

The effective delivery of operational law enforcement takes priority and is at the forefront of PSNI to ensure the prevention and detection of crime is carried out and the effective apprehension or prosecution of offenders is maintained. Weakening the mechanisms used to monitor and investigate any type of criminal activity and specifically terrorist activity would place the security of the country at an increased level of danger.

In addition, PSNI will not confirm or deny the existence of any information if it would be likely to endanger the physical or mental health of any individual or the safety of any individual. Any disclosure by PSNI, no matter how generic, would undermine any trust or confidence individuals have in us, therefore, at this moment in time it is our opinion that for these issues the decision favours neither confirming nor denying that the requested information is held.

However, this should not be taken as conclusive evidence that the information you requested exists or does not exist.

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](mailto: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](http://www.psnipolice.uk)

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