



# FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2018-01298

**Keyword:** Organisational Information/Governance

**Subject:** Consultants and Advisers to PSNI

**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 some information you seek in request number 2 is exempt by virtue of section 38 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**

How much money has been spent on consultants and advisers by Police Service of Northern Ireland in each of the last three financial years? (2015/16, 2016/17, and 2017/18) Please break this down by year.

**Answer**

Please see table below containing details in relation to the above request.

Year	Spend
2015/16	Nil
2016/17	£3.937.50
2017/18	Nil

**Request 2**

For each year, please break down by:

- The company
- The amount of money
- Details of the particular contract: please provide a summary of each contract, and if possible, also provide any documentation which outlines what the project entails.

**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/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

#### Section 38(1)(a)(b) – Health and Safety

- (1) Information is exempt information if it is disclosure under this Act would, or would be likely to:
  - (a) endanger the physical or mental health of any individual or
  - (b) endanger the safety of the individual

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 38 is a prejudice based and qualified exemption. This means that the PSNI must consider the potential harm in release of the requested information and carry out a public interest test.

#### **Harm**

Releasing the name of a supplier providing a service / working for PSNI, which are not already in the public domain, is likely to highlight to terrorists / criminals their association with PSNI. Disclosing the name of a suppliers company would likely put the business and employees at risk of attack by those seeking to deprive PSNI of essential services or supplies as part of their campaign. Terrorism in Northern Ireland remains a SEVERE threat and continues to be a threat to the Police Service.

#### **Public Interest Test**

##### Factors Favouring Release

Releasing the information would promote openness and transparency and there is always a strong public interest in information that relates to the use of public funds.

##### Factors Favouring Retention

To release a supplier / company name into the public domain would not only highlight them as providing a service to PSNI but this level of detail would be useful to terrorists / criminals who may carry out an attack. These attacks in the past have been indiscriminate and therefore are not limited to individual employees but could also potentially include their families. PSNI has a duty of care to protect anyone working for the Service. The PSNI will not disclose any information which may increase the risk of harm to any individual providing a service to the PSNI.

#### **Decision**

Whilst accountability surrounding the use of public funds is always a strong argument in favour of releasing information, the balance will always favour retention where there is a significant risk to the safety of individuals. A release under Freedom of Information is a release to the world in general and not just to the individual requesting the information. At this time, the Service is under severe dissident threat and to release the name of a company providing a service to the PSNI could assist terrorists in targeting individuals. In this case, therefore the decision must favour not releasing the names of the companies concerned. The safety of individuals is of paramount importance and the PSNI will not divulge any information which could put lives or property at risk.

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).

The PSNI has only used 1 company's services as consultants / advisers, the cost was £3,937.50 this was for a project called "Hate Crime Advocate Scheme Evaluation".

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.psni.police.uk](http://www.psni.police.uk)

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