



FREEDOM OF INFORMATION REQUEST



Request Number: F-2022-01749

Keyword: Operational Policing

Subject: Operation Kenova

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland does hold information to which your request relates. PSNI is exempting Request 4 under Section 40 of FOI Act and the rationale for this is explained under. The decision has been taken to disclose the following.

Request 1

When you last replied to a FOI request I made (F-2021-01710 - as below) you claimed that the total amount and yearly breakdown paid to Operation Kenova was as follows;
2016-17 = £1,730,113 2017-18 = £5,423,924 2018-19 = £5,386,585 2019-20 = £6,779,741 2020-21 = £6,957,630 2021-22 = £4,969,284 Total £31,247,278

Under the FOIA I am requesting following; Total amount paid to Operation Kenova during 2021-22 (and up until the date this request has been answered)?

Answer

Paid to Op Kenova to 30/6/2022	£
2021/2022	6,012,268
2022-2023 to date	1,460,438

Please note that FOI is based on recorded information that was held at the time the request was received by PSNI (19th July 2022). As accounts are run on a calendar monthly basis we have provided you with the figures up until 30/6/2022.

Request 2

Total amount paid to Operation Kenova during 2021-22 (and up until the date this request has been answered) to cover travel costs?

Answer

Paid to Op Kenova - Travel Costs – to 30/6/2022	£
2021/2022	369,902
2022-2023 to date	120,265

These costs are included in the total costs provided in response to Request 1. There may be travelling costs relating to the operation paid directly by Bedfordshire for which PSNI do not hold records.

Please note that FOI is based on recorded information that was held at the time the request was received by PSNI (19th July 2022). As accounts are run on a calendar monthly basis we have provided you with the figures up until 30/6/2022.

Request 3

Full details of all amounts paid to Operation Kenova -from 2016 and to date) to cover; (a) Hotels & accommodation; (b) food, meals & refreshments etc?

Answer

The table below represents the splits between accommodation and subsistence as far as PSNI records permit. The column "accommodation and subsistence" is primarily dinner, bed and breakfast bookings which cannot be split any further.

Op Kenova travel Analysis of accommodation and subsistence					
Year	Travel Costs	Accommodation & subsistence	Accommodation only	Subsistence only	Total
2016/2017	71,774.29	25,471.90	4,085.83	199.61	101,531.63
2017/2018	163,218.98	72,921.21	13,500.00	100.26	249,740.45
2018/2019	168,905.57	86,681.37	18,545.00		274,131.94
2019/2020	119,593.21	76,138.99	10,517.79		206,249.99
2020/2021	100,675.75	72,031.45			172,707.20
2021/2022	191,175.43	178,726.22			369,901.65
2022/2023 year to date	69,363.01	50,901.77			120,264.78
	884,706.24	562,872.91	46,648.62	299.87	1,494,527.64

Please note there may be subsistence costs incurred by Bedfordshire for which PSNI do not hold records.

Request 4

What type of system, accounts software (etc) -as well as name of the software- has been used by RUC / PSNI to track, record and to document and account for all amounts claimed, paid to Operation Kenova since 2016 and to date?

Answer

PSNI use Integra accounting software. Travel requests are as submitted as Word documents by email, processed and added to an Excel spreadsheet log, with total monthly costs recorded in Integra. Other costs are recorded in Integra as invoiced. ITrent payroll software is used to calculate any tax and national insurance deductions required

Request 5

Re: Jon Boutcher - head of Op Kenova: Who pays Jon Boutchers salary? (a) How is Mr Boutcher's salary paid, and how often is it paid? (b) How much was Mr Boutcher paid, in salary, during 2020-21; (c) How much will Mr Boutchers salary be for 2021-22?

Answer

PSNI paid Bedfordshire Constabulary its costs for conducting the Operation Kenova investigation. When Mr Boutcher was employed by Bedfordshire Constabulary his salary was paid by them and PSNI do not hold this information. We would advise that you may wish to contact Bedfordshire Constabulary if you wish to make a request to them.

From August 2019, following Mr Boutcher's retirement from Bedfordshire Constabulary PSNI does hold information of monies paid to him for his work in Operation Kenova. The amount of monies paid, the frequency and the mechanism for this is the personal data of Mr Boutcher which we consider is exempt from disclosure under FOIA because of the application of the personal data exemption at section 40 (2) of that Act.

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 40 (2)(a)(b) by virtue of 40 (3)(A)(a) Personal Information – Information constitutes personal data and disclosure would contravene any of the Data Protection principles.

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 40 (2) of the FOIA, is an absolute exemption which means there is no requirement on the PSNI to consider whether there is a public interest in disclosure. It is an interface exemption and we must consider whether release of the information would breach the General Data Protection Regulations ('GDPR'). Information about monies paid to an individual will be their personal data, there PSNI has considered whether disclosure would contravene any of the six data protection principles contained within the GDPR.

The six data protection principles are good information handling standards which PSNI must comply with in relation to how it handles personal information, including deciding whether to disclose it or not. In particular, the first principle requires personal data to be processed in a lawful and fair manner. In considering whether it is 'fair' to any individual to release information about them, PSNI considered the specific nature of the information involved and how individual's would reasonably expect their financial information to be treated. We consider that Mr Boutcher would not have any reasonable expectations PSNI would disclose such specific information about him in breach of the first principle of data protection legislation. PSNI considers this information is therefore exempt under Section 40 (2) of the FOIA as it contravenes data protection legislation to release it.

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 Corporate Information Branch, 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 Corporate Information Branch, 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 remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, 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', or use the ICO self-service portal available at www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/

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 their 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.