



FREEDOM OF INFORMATION REQUEST



Request Number: F-2021-02611

Keyword: Finance

Subject: Special Police Services

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 (PSNI) does hold information to which your request relates and this is being provided to you pursuant to Section 38 of the Freedom of Information Act 2000 (FOIA) and we 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

Under FOI legislation, please provide me with a breakdown of information relating to all invoices which the PSNI has sent out in the last five years for its supplying of 'special police services' which have been paid in full.

- A. Year when the services were provided.
- B. Amount of money which the invoice totalled to.
- C. Name of the organisation which paid the invoice.
- D. Reason why this organisation required 'special police services'.

Answer

In response to your request please see attached Excel spreadsheet labelled '02611 Special Police Services Spreadsheet' which holds the information to which you seek access.

The spreadsheet provides:

- The year the services were provided.
- The Invoice total.
- The reason why the organisations required 'special police services'.

PSNI have made the decision to exempt information relating to the organisation names, which is withheld. Please see below our explanation.

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) (b) – Health & Safety – Information is exempt information if its disclosure under this Act would, or would be likely to (b) endanger the safety of any individual.

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 38 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

The organisation's names have been withheld as releasing names would likely highlight the direct association of the company with the PSNI. **Release of information under FOI is considered a release to the world in general, not just to the individual requesting the information.** Disclosure of some company names into the public domain would likely place the business and employees at risk of attack by those seeking to deprive PSNI of providing essential services. Terrorism in Northern Ireland remains a severe threat, particularly to the Police Service.

Public Interest Test

Factors Favouring Release - Section 38

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

Factors Favouring Retention - Section 38

Releasing the name of the organisations may directly associate them with PSNI in the public domain and may assist terrorist groups or criminal elements to carry out attacks on these businesses or members of staff. The current terrorism threat level in Northern Ireland is rated as 'severe' and groups consider those associated with PSNI as viable targets. In the past such attacks have been known to be indiscriminate in nature, therefore endangering members of the general public in addition to their intended target.

Terrorist activity is a real and current threat and the PSNI has a duty of care to protect individuals 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 PSNI. To highlight a particular supplier could endanger their employees and their families.

Decision

The Health and Safety of companies that deal with the PSNI is of vital importance to the PSNI in its primary role of keeping people safe and consequently if 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 release to the world in general, not just to the individual requesting the information.

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. At this time, the Service is under 'severe' threat and to release the name of companies dealing with the PSNI could assist groups and criminal elements in targeting their business. The safety of individuals is of paramount importance and the PSNI will not divulge any

information which could put lives or property at risk.

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 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.