

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2021-02686

Keyword: Organisational Information/Governance

Subject: PSNI Meeting with 'Forward Thinking' October 2021

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 do not however hold information in relation to request number 3. We further consider the information you seek in request number 1 is exempt by virtue of section 40 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

The organisation Forward Thinking has reported that it arranged for "prominent Palestinian-Israeli community and political leaders" to meet representatives of the Police Service of Northern Ireland during October 2021. For ease of reference, the Forward Thinking report can be consulted at this weblink: <https://www.forward-thinking.org/?p=6387>

Request 1

I hereby request a list of the "Palestinian-Israeli community and political leaders" who took part in the meeting or meetings referred to above.

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 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') or the Data Protection Act 2018 ('DPA') Third party personal information in relation to members of an overseas group as this information constitutes their 'personal data' under the GDPR (Article 4) and DPA (Part 1 s.3).

Under the Freedom of Information Act, PSNI must consider if information can be released into the public domain. I have therefore considered whether the disclosure of this personal data is subject to the exemption at Section 40(2) of the Freedom of Information Act 2000 by virtue of s40 (3)(A)(a). As this information is 'personal data', PSNI considered whether disclosure would contravene any of the six data protection principles contained within the GDPR or DPA.

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 'fairly and lawfully'. In considering whether it is 'fair' to any individual to release information about them, PSNI considered the likely expectations of those individuals and the nature of the information involved. Individuals must have confidence that their information is treated sensitively and appropriately by PSNI and it is unlikely that it would be within the expectations of these individuals that their identification information would be put into the public domain. The individuals would not have any reasonable expectation PSNI would disclose such information of this nature about them. Releasing the names of members of an overseas group could lead to individuals being attacked, endangering their own safety and that of their families, should the information be acted upon by an individual or a criminal / terrorist organisation intent on breaching current PSNI security processes. The Service has a duty to protect the personal data of all individuals, including members of an overseas group. We consider it would be extremely unfair to those individuals and therefore a breach of the first principle of data protection legislation. This information is therefore exempt under section 40 (2) of the FOIA as it contravenes data protection legislation to release it and the PSNI has made the decision to withhold that information.

Request 2

I also request a list of representatives from the Police Service of Northern Ireland who took part in such meetings, as well as a list of anyone else who took part in such meetings.

Answer

Temporary Assistant Chief Constable Jones and Superintendent Gary Reid took part from the PSNI.

Request 3

I request, too, the agenda of any such meetings, a list of topics discussed, and any minutes or internal reports which the PSNI has drawn up following any such meetings

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 not hold information in relation to your requests. Enquiries made in relation to your request failed to locate any records or documents relevant to your request based on the information you have provided.

There was no agenda or minutes taken. It was a discussion group.

Accordingly, I have determined that the Police Service of Northern Ireland does not hold the information to which you seek access.

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.psnipolice.uk

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