

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2020-00872

Keyword: Organisational Information/Governance

Subject: Schedule 21 of the Coronavirus (Covid 19) Act

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 information to which your request relates. The decision has been taken to disclose the following.

Request 1

Since the Coronavirus Act came into force on 25 March, how many times between then and 20 April has your force used Schedule 21?

Answer

None.

Request 2

Please could you provide the date of each incidence of use? If that is not possible, please provide the week in which it happened e.g. w/c 30 March. If that is not possible, please provide the month in which it happened - March or April.

Request 3

Of the total number of times you used Schedule 21, how many times was it wrongfully used? This is something that might have been determined by a court. Please could you provide the dates for the wrongful incidents please? If that is not possible, please provide the week in which it happened e.g. w/c 30 March. If that is not possible, please provide the month in which it happened - March or April.

Request 4

Have you charged anyone with an offence under Schedule 21 because they did not answer a member of the police's question?

Answers to Request 2, 3 and 4

Request numbers 2, 3 and 4 are not applicable.

To further assist with your requests, PSNI can advise that Schedule 21 Coronavirus Act 2020 (Part 5 of which applies to Northern Ireland) confers powers relating to potentially infected person.

Schedule 21 enables the Department of Health to declare a Transmission Control Period if the Department Of Health are of the view that the incidence or transmission of coronavirus constitutes a

serious and imminent threat to public health in Northern Ireland, and the powers conferred by this Part of this Schedule will be an effective means of delaying or preventing significant further transmission of coronavirus in Northern Ireland.

The Transmission Control Period ends when the Department Of Health is no longer of that view. The powers under Schedule 21 are therefore only exercisable during a Transmission Control Period.

A Transmission Control Period to date has not been declared in Northern Ireland.

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.psnipolice.uk

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