

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2020-01928

Keyword: Operational Policing

Subject: Minimum strength for local policing teams

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 not to supply the information you have requested and the reasons for this are set out in more detail below. 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

Can you please advise what the minimum strength for local police teams is for day, late and night shift in the following areas:

Antrim and Newtownabbey
Belfast
Mid and East Antrim

Request 2

Would you also advise on how many occasions the minimum strength was not met for each of the shifts and areas detailed 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 31 (1) – Law Enforcement (a) the prevention or detection of crime (b) the apprehension or prosecution of offenders

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 31 is a qualified and prejudice-based exemption. This means that the legislators have determined that it is necessary to evidence the harm in release and to conduct a public interest test.

The summary of the Harm and Public Interest considerations are provided below:

Harm

The requested information contains details of resources employed in three particular districts.

The release of information under the Freedom of Information Act is a release into the public domain and not just to the individual requesting the information. Once 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 disclosure to the world in general.

Disclosure of this information would identify the level of resources in specific locations and may better inform those persons intent on committing criminal activity to maximise their chances to commit crime or launch attacks on police.

With this in mind there would need to be a considerable public interest before PSNI would consider the release of such information, as to do so would negatively affect the ability of PSNI to carry out its law enforcement role.

Public Interest Test

Factors Favouring Release – Section 31

Release of the requested information would lead to a better informed public and would show transparency and accountability on the part of PSNI. The public would be better informed with regard to PSNI capability and processes.

Factors Favouring Retention – Section 31

Disclosing this information could assist criminal elements to subvert police, compromising law enforcement tactics and hindering the prevention and detection of crime, impacting on police resources.

The release of information concerning police methodology, taken on its own or together with other information, either already available or the subject of further requests, could place police officers at risk of harm by attack as well as negatively affect the law enforcement capabilities of PSNI as it would enable criminal groups to better plan how to successfully carry out their activities.

The use of this information may be of particular concern in light of the nature and extent of the prevailing terrorist threat which is currently SEVERE. It may also be used by criminals/terrorists in combination with other information they have gathered to try and prejudice law enforcement.

Decision

The PSNI is tasked with the prevention and detection of crime and protecting the public. At this time of increased threat of terrorism, releasing detailed information with regard to police resources into the public domain would not be in the public interest.

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PSNI has a duty to fulfil its law enforcement function and whilst there is a public interest in the transparency of policing, the delivery of effective law enforcement has overriding importance. However, police need to make balanced judgements which justify why some information needs to remain exempt and unpublished.

Disclosure of this information has the potential to assist those criminal elements intent on launching attacks on officers and could put officers' lives at risk and cause disruption, compromising the law enforcement role of police.

PSNI would always wish to be transparent and accountable but no release under FOI should be made where lives would be put at risk. For these reasons, I have determined that the release of information relating to the strength of resources, into the public domain would not be in the public interest.

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.