



FREEDOM OF INFORMATION REQUEST



Request Number: F-2022-02631

Keyword: Policing Themes, Operations and Investigations Policing Other

Subject: Delegation of Police Powers to the NI Road Safety Partnership

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. The decision has been taken to disclose the following.

Request 1

Please provide details of all powers which have been delegated by the Chief Constable at the present time, to civilian staff working for Northern Ireland Road Safety Partnership.

Answer

Authorisation by virtue of Article 23(1)b of the Road Traffic Offenders (NI) Order 1996

Request 2

How many Civilian Investigators does the PSNI employ from the Northern Ireland Road Safety Partnership.

Answer

PSNI does not employ any civilian Investigators from the Northern Ireland Road Safety Partnership.

Request 3

Are Civilian Investigators employed by the PSNI, fully sworn constables / do they have or are they delegated powers of a constable – if so please provide details of this process / the legislation allowing this.

Answer

PSNI can advise all 'Civilian Investigators' have the power to obtain evidence.

Guidance provided on the role states;

***“General power of seizure - This enables a suitably designated person, when lawfully on any premises, to exercise the same general powers to seize items that are available to a Constable under Article 21 of the 1989 Order. The designated person may also make use of the power to require, in certain circumstances, the production of electronically stored material in a form in which it can be taken away.*”**

Request 4

Please provide the recorded law that gives PSNI Civilian Investigators for the Northern Ireland Road Safety Partnership the authority to obtain private information from protected persons.

Answer

Although the Northern Ireland Road Safety Partnership do not have any Civilian Investigators, the Northern Ireland Road Safety Partnership refer you to the adult privacy notice on the PSNI website [Adult Privacy Notice | PSNI](#)

Request 5

Since the Road Traffic Regulation (Northern Ireland) Order 1997 provides:

The Crown

70.—(1) Subject to paragraph (2), the provisions of this Order apply to vehicles and persons in the public service of the Crown.

Please provide the recorded information where the Northern Ireland Road Safety Partnership state this in their paperwork that they send out to the public when asking for information.

Request 6

Please provide the recorded information that allows the Northern Ireland Road Safety Partnership to demand information or a performance of duty from anyone other than persons in the public service of the Crown.

Answer 5 & 6

The PSNI do not hold any recorded information relevant to this request.

Request 7

Please provide the recorded contract between the PSNI and the Northern Ireland Road Safety Partnership.

Answer

PSNI is a partner in the Road Safety Partnership, no contract exists.

Request 8

Please provide the recorded company charter of the Northern Ireland Road Safety Partnership.

Answer

The Northern Ireland Road Safety Partnership is not a Company

Request 9

Please provide the recorded information of the procedure the PSNI have to follow if they discover that the Northern Ireland Road Safety Partnership have violated either their contract or their company charter.

Answer

As above, the PSNI is a partner in the Road Safety Partnership, no contract exists and the Northern Ireland Road Safety Partnership is not a Company.

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 Corporate Information Manager, Corporate Information Branch, PSNI Headquarters, 65 Knock Road,

Belfast, BT5 6LE or by emailing foi@psni.police.uk.

If, following an Internal Review carried out by an independent decision maker, you remain unhappy about how your request has been handled you have the right to apply in writing to the Information Commissioner, under Section 50 of the Freedom of Information Act, at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There are a number of other platforms you can use to contact the ICO and these can be found on the ICO's website at the following link: [Make a complaint | ICO \(https://ico.org.uk/make-a-complaint/\)](https://ico.org.uk/make-a-complaint/).

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.