



FREEDOM OF INFORMATION REQUEST



Request Number: FOI-2023-01528

Keyword: Organisational Information Finances

Subject: Coronation of King Charles III in London

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 some of the information to which your request relates and this is being provided to you.

We further consider that the information in relation to 'costings of Chief Constable attendance' in which you are seeking in part of Request number 3 is exempt by virtue of Section 22 and we have detailed our rationale as to why this exemption applies.

Additionally in relation to your Request 2 and Request 3 Police Service of Northern Ireland is providing an NCND response and will explain this further in the response below.

We will explain how the exemptions we are relying upon operate in our response 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

Did the Chief Constable attend the Coronation of King Charles III in London?

Answer 1

Yes, the Chief Constable attended the Coronation of His Majesty King Charles III as the official representative of the Police Service of Northern Ireland (PSNI).

Request 2

Which other members of PSNI (both Officers & Civilian) attended the event? Please provide rank of each individual, names not required.

Answer 2

A total of three other PSNI police officers were in London for the Coronation of King Charles III, however they **did not attend the ceremony**. The officers joined colleagues from across the UK and Overseas Territories Police Services lining the route of the Coronation Procession as representatives of the Civilian Uniformed Services. The ranks of the officers were Chief Inspector, Sergeant and Constable.

Partial exemption

In addition to the information provided and in accordance with the Act, this represents a Refusal Notice for Request 2. The Police Service of Northern Ireland can neither confirm nor deny that it holds any other information you have requested.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in the request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

Where exemptions are relied upon Section 17(1) of FOIA requires that we provide the applicant with a notice which

- a) states that fact,
- b) specifies the exemption(s) in question and
- c) states (if that would not otherwise be apparent) why the exemption applies.

The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds the information relevant to your request as the duty in Section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of the following exemptions:

Section 40 (5B) – Personal Information - The duty to confirm or deny does not arise if to do so would contravene any of the data protection principles.

Section 38 (2) - Health & Safety - The duty to confirm or deny does not arise if, or to the extent that, compliance with Section 1(1)(a) would or would likely endanger the safety of an individual.

Section 31(3) - Law Enforcement - The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would or would be likely to, prejudice any of the matters mentioned in subsection (1).

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.

'Neither Confirm nor Deny' (NCND)

There may be occasions when complying with the duty to confirm or deny under section 1(1) (a) would in itself disclose sensitive or potentially damaging information that falls under an exemption. In these circumstances, the Act allows a public authority to respond by refusing to confirm or deny whether it holds the requested information.

The decision to issue a 'neither confirm nor deny' response is not affected by whether we do or do not hold the information but relates to the consequences of confirming or denying the information is held. The starting point and main focus in most cases will be theoretical considerations about the consequences of confirming or denying that a particular type of information is held. The decision to neither confirm nor deny is separate from a decision not to disclose information and needs to be taken entirely on its own merits.

PSNI follow the Information Commissioner's Guidance in relation to 'NCND' and you may find it helpful to refer to this at the following link:

https://ico.org.uk/media/for-Organisations/documents/1166/when_to_refuse_to_confirm_or_deny_section_1_foia.pdf

Section 40 is a class based exemption; therefore it is not necessary to carry out a public interest test.

Section 40 (5B) (a) (1) - Personal Information

Information disclosed under the FOIA is disclosed into the public domain, effectively to the world and not just to one individual. To confirm or deny whether personal information exists in response to your request could publicly reveal information about an individual or individuals, thereby breaching the right to protection of their personal information afforded to them under the Data Protection Act 2018. When confirming or denying that information is held would breach an individual's rights under the Data Protection Act legislation, Section 40(5B) becomes an absolute exemption, and there is no requirement to provide evidence of a prejudice occurring, or to conduct a public interest test. To confirm or deny that the PSNI hold or do not hold information would in fact confirm information about an individual including the fact it may or may not be held. This would amount to a release into the public domain of personal information about an individual. The individual would have no expectation that these details would be released into the public domain, therefore their data protection rights would be breached by release.

PSNI considers the information you have requested is exempt by virtue of Neither confirm nor deny exemptions which PSNI is entitled to rely upon. This should not be taken as conclusive evidence that the information you requested exists or does not exist.

The release of information under Freedom of Information (FOI) 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.

Sections 31 and 38 are both prejudice based and qualified exemptions, which means there is a requirement to articulate the harm caused by confirming or denying that the information is held as well as carrying out a public interest test.

Overall Harm

Modern-day policing is intelligence led and intelligence changes on a day-by-day basis. Disclosures under the FOI Act are disclosures to the world and not just to you the requester who is making the request. To confirm or deny that PSNI hold any information relevant to your request would be detrimental to our ability to be able to deal to provide effective protection. This would be detrimental to providing an efficient policing service and a failure in providing a duty of care to all members of the public and would likely cause operational harm and affect PSNI's ability to fulfil its law enforcement role and keeping people safe. Release of the information which could reveal police tactics could put individuals at risk and could be used by those who may have criminal intent if they became aware of such details which could be used as an opportunity to commit crime, impacting on the prevention and detection of crime.

Public Interest Test

Factors Favouring Confirming or Denying that the Information is held - Section 31

By confirming or denying that information relevant to the request exists, would lead to better public awareness of law enforcement and that financial resources are being used both adequately and responsibly.

Factors Against Confirming or Denying that the Information is held - Section 31

To confirm or deny that this information is held would clearly provide terrorists with valuable information that they could use to target individuals. Article 2 of the Human Rights Act 1998 imposes a positive obligation on police to protect life, including the lives of police officers. Confirmation or denial of the existence of this information could be useful in targeting police officers and any other individual.

By its very nature, by confirming or denying information is held would undermine the effective delivery of operational law enforcement. Under FOI there is a requirement to comply with S1(1)(a) and confirm what information is held. In some cases it is that confirmation, or not, which could

disclose facts harmful to members of the public, police officers and other law enforcement agencies.

Factors Favouring Confirming or Denying that the Information is held - Section 38

The information requested relates directly to the accountability for public funds and where public funds are being spent and there is a public interest in accountability and justification. Confirmation or denial that the provision of protection exists would assist in the quality and accuracy of public debate.

Factors Against Confirming or Denying that the Information is held - Section 38

Confirmation or denial of information concerning police resources, taken on its own, or with other information already available, could place the life of individuals at risk of attack. The safety of individuals is of paramount importance and the PSNI will not divulge any information which could put lives or increase their risk of harm if it became more widely known of their interaction with the police service.

Decision

The PSNI is charged with enforcing the law, preventing and detecting crime and protecting the community we serve. There is a public interest in the transparency of policing and providing assurance that the police service is appropriately and effectively. The requirement to ensure that current and future law enforcement in relation to the security commitments of the PSNI is not compromised and the health and safety of individuals connected with the information is of paramount importance, on this or on other instances when this type of information is requested, must take precedence over accountability of the Service and accountability for public funds.

Irrespective of what information is or is not held, the public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing risk is to be cautious with what is placed into the public domain.

The public interest is defined not as what the public might find interesting but there must be some tangible benefit to the public in the disclosure of the interest. By confirming or denying that the PSNI has deployed officers could result in individuals being subject to additional threat, which could adversely affect the safety of members of the public in areas where these people might be present. This would require a full review of any security arrangements and in all likelihood an increase in the number of police officers employed to protect them, therefore increasing the costs to the public purse.

The PSNI will also not divulge whether any information is or is not held if to do so could undermine or compromise its law enforcement role and any disclosure by PSNI, no matter how generic, would undermine any trust or confidence individuals have in us, therefore, at this moment in time it is our opinion that for these issues the decision favours neither confirming nor denying that information is held.

The release of information under FOI 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 how the information is shared with other individuals therefore a disclosure under FOI is considered a release to the world in general.

However, this should not be taken as conclusive evidence that the information you requested exists or does not exist.

Request 3

What was the expense to PSNI for all members attending? Please include travel, accommodation and any CPU cover required both in NI and London. These queries do not relate to Officers and Staff deployed as part of mutual aid.

Answer 3

The officers who carried out the Route liner position were sent to London on a 'non-cost recoverable post', which means, their flights and shifts were paid by PSNI. The total 'estimated cost' using a

ready reckoner calculation for their travel, expenses, overtime and daily duty incurred by PSNI was £2803.78.

Partial exemption 1

In relation to cost of Chief Constable attendance to coronation of King Charles III the following exemption has been applied:

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.

Section 22 – Information intended for future publication

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

Pursuant to the provisions of Section 22 of the Freedom of Information Act 2000 it has been decided to refuse access to the information you have requested. Under Section 22(1)(a) of the Act the Police Service of Northern Ireland (PSNI) is not obliged to disclose information that is held with a view to its publication at some future date.

Details of all expenditure incurred by the Chief Constable for official business are published on a regular basis on the PSNI website. Please refer to Our Publications section on PSNI Website:

[Chief Officers' Expenses | PSNI](#)

Section 22 is a qualified exemption, therefore the PSNI is obliged to carry out a Public Interest Test.

Public Interest Test

Factors Favouring Release

Disclosure of requested information would demonstrate PSNI's openness and transparency. Will also highlight how and what for the Public money are spent on by PSNI.

Factors Favouring Retention

The spending of additional funds in order to facilitate this FOI request would not be in the public interest as this information is due to be released in the near future. This also might harm trust in PSNI, as early release of unprocessed figures may undermine the future reports and provide Public with an incorrect figures.

Decision

There needs to be a real and valid reason which identifies a tangible benefit to the public from disclosure of information. As the information is intended to be published at a future date, it is reasonable to exempt it as publication is imminent.

Partial exemption 2

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Section 31(3) - Law Enforcement - The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would or would be likely to, prejudice any of the matters mentioned in subsection (1).

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Decision

The PSNI is charged with enforcing the law, preventing and detecting crime and protecting the community we serve. There is a public interest in the transparency of policing and providing assurance that the police service is appropriately and effectively. The requirement to ensure that current and future law enforcement in relation to the security commitments of the PSNI is not compromised and the health and safety of individuals connected with the information is of paramount importance, on this or on other instances when this type of information is requested, must take precedence over accountability of the Service and accountability for public funds.

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However, this should not be taken as conclusive evidence that the information you requested exists or does not exist.

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.