



FREEDOM OF INFORMATION REQUEST



Request Number: F-2013-02578

Keyword: Human Resources

Subject: International Secondment of PSNI to Foreign and Commonwealth

Request and Answer:

Question

Under the Freedom of Information Act 2000, I request a copy of the paper submitted by PSNI to the Human Resources Committee of the Northern Ireland Policing Board regarding international secondment of PSNI officers to the Foreign and Commonwealth Office.

This paper is referred to at point 15.1 in the minutes of the Northern Ireland Policing Board Human Resources Committee meeting that was held on 12/02/2009. A link to these minutes is available here: www.nipolicingboard.org.uk/12_february_2009_hrc_minutes.pdf

Answer

Please find attached at the end of this correspondence the document requested regarding international secondment of PSNI officers to the Foreign and Commonwealth Office.

I have today decided to:

- disclose information on pages 1-6 below subject to the deletion of information pursuant to the provisions of Sections 38 and 40 of the Freedom of Information 2000 (the Act).

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 38 (a) (b) – Health and Safety

Section 40 (2) (a) (b) by virtue of Section 40 (3) (a) (i) - Personal Information

Section 38 is a prejudice based qualified exemption and this means that the public authority is

required to provide harm that could occur following disclosure of the requested information and must consider the balance of the public interest in releasing the information against the public interest in withholding it.

Harm

Section 38

Disclosure of the names of police officers or support staff within PSNI could put these individuals at risk and impact on their safety. The Service is currently under threat from terrorists and releasing names of personnel would assist these terrorists in targeting individuals.

Public Interest Test

Factors favouring release – Section 38

The considerations favouring release in this case are generic and arise from the purpose and rationale for Freedom of Information legislation. Release of information would show that all public authorities' staff are accountable within their role.

Factors favouring retention – Section 38

Release of an individual's name who works for the PSNI may endanger them. The Service is currently under threat from terrorists and releasing names of personnel could assist these terrorists in targeting individuals.

Decision

You have been provided with a copy of the paper submitted by PSNI to the Human Resources Committee of the Northern Ireland Policing Board regarding international secondment of PSNI officers to the Foreign and Commonwealth Office. The only information redacted is the name of a junior member of staff who emailed the paper to the Northern Ireland Policing Board and I am satisfied that exemptions Section 38 and 40 are engaged.

Section 40 Personal Information is an absolute exemption which means there is no requirement on the Public Authority to consider whether there is a public interest in disclosure. This is so because personal data is governed by other law (The Data Protection Act 1998).

Within the document you have requested is an individual's name. This member of staff is not of senior rank and not in a public facing role. The PSNI have a duty of care to ensure the safety of police staff. A release under the Freedom of Information Act is considered to be a release to the public at large. This would be a breach of the Data Protection Act and is catered for within Freedom of Information by the exemptions under Section 40(2) as outlined below.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal data about a third party it can only be released if disclosure would not breach any of the data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly.

Members of staff are entitled to protection under the Data Protection Act 1998. The Service would be failing in its lawful duty were it to breach the Data Protection Act in order to furnish a disclosure under the Freedom of Information Act 2000. The Service has a duty to protect the personal data of all individuals. Therefore, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Additionally The Police Service of Northern Ireland (PSNI) can Neither Confirm Nor Deny that it holds any other information relevant to your request by virtue of the following exemption:

Section 23(5)- Information supplied by or concerning certain Security Bodies

The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1) (a) would involve the disclosure of any information which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3)

Section 23 is an absolute exemption and there is no requirement to consider the public interest test in this area.

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 Freedom of Information Team, 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 Freedom of Information, 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.

Paula
Can you consider
in relation to how
we treat

Secondments.

If it does not
fit here let me
know.

Sun 11/2/09



Ref No:	6996
Received:	10.2.09
Scanned:	✓
Allocated To:	S HAGEN
Action:	FOR ATTENTION

P. Gow
CC: PG

Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

SIR HUGH ORDE OBE
CHIEF CONSTABLE

Our Ref: Com Sec 09/227

9 February 2009

REQUEST FOR ASSISTANCE FROM PSNI FOR HMG DEVELOPMENT WORK IN SRI LANKA

I refer to the attached report from Catherine Weiss, Governance and Conflict Advisor, Foreign and Commonwealth Office.

The FCO are involved in an ongoing programme of assistance to the Sri Lankan Government, in respect of Police Reform. Previously the Scottish Police College and the National Swedish Police have supported the project.

The key element of the project is to help build capacity within the Sri Lankan Police in order to assist them to develop structures and doctrine to deliver a community based policing service.

FCO have sought to engage PSNI because of the particular experience we possess, regarding developing policing structures in a 'post conflict' society. In addition PSNI have previously successfully supported similar FCO projects in other post conflict environments. They have asked for ACC McCausland, Criminal Justice Department to lead the PSNI involvement

This project will require limited and short term assistance from PSNI over a period of six months. It is envisaged that a maximum of two/three officers would travel to Sri Lanka in order to provide guidance in developing a community policing strategy and to act as a 'critical friend' to the Sri Lankan Police in designing the necessary changes to their existing structures and help develop post conflict policing as well as criminal justice structures.

At this moment it is anticipated by the FCO that the project would require a maximum of three visits of approximately 10 days duration, however this will be finalised after the initial visit with the Sri Lankan Government and may reduce. All travel and accommodation costs will be met by the FCO. There will be no financial burden to PSNI other than the abstraction of the participating officers.

Private Office, PSNI Headquarters, 65 Knock Road, Belfast, Northern Ireland BT5 6LE
Telephone: 028 90 561613 Fax: 028 90 561645 Email: comsec1@psni.pnn.police.uk



Calls within Police Service of Northern Ireland telephone system may be monitored or recorded

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I would therefore seek the support of the Northern Ireland Policing Board for PSNI to become involved in this project.

Yours sincerely



HUGH ORDE

Professor Sir Desmond Rea
Chairman
Northern Ireland Policing Board
Waterside Tower
31 Clarendon Road
Clarendon Dock
BELFAST BT1 3BG

Private Office, PSNI Headquarters, 65 Knock Road, Belfast, Northern Ireland BT5 6LE
Telephone: 028 90 561613 Fax: 028 90 561645 Email: comsec1@psni.pnn.police.uk

Re: Request for Assistance from PSNI for HMG Work in Sri Lanka

HMG work in Sri Lanka

HMG have been providing assistance in Sri Lanka on Security Sector Reform ("SSR") for several years, in particular on policing. This is paid for by the HMG Conflict Prevention Pool and managed by SSDAT (Security Sector Development Advisory Team), a tri-Departmental team based in DFID.

National police professional development programme

SSDAT has been engaged in police reform assistance in Sri Lanka for several years, with the aim of strengthening the capacity of the Sri Lankan Police to be able to strategise in general and engage with both Govt of Sri Lanka and civil society in a more effective and planned manner. SSDAT-facilitated strategic seminars in Jan 07 catalysed the formation of the Strategic Development Division (SDD) for the Police, which is tasked with producing a national community policing strategy as a model for Sri Lankan Police transformation and on the basis of which pilots will be undertaken. SDD have undertaken training at Scottish Police College, but still lack the capacity to take forward their agenda. This is a complex environment in which to work given the internal conflict, with a broad range of state security actors engaging in overlapping tasks. There is particular confusion between the concepts of community policing, civil defence and information networks, and there is a risk of supposed community policing being used to "window dress" civil defence activities. Our support needs to be done in a way that reaches to the essence of what is meant by community policing, i.e. as a way to police, and not just the "touchy feely" side of policing at a local level.

As part of the police professional development programme, we need to provide short term, hands-on assistance to the Strategic Development Division of the Sri Lankan Police to build their capacity and confidence and assist them in developing key documentation (national police development strategy, community policing strategy etc), piloting community policing in one or more locations and associated training development. Catherine Weiss will manage this assistance from SSDAT, together with the police consultant with whom SSDAT is working, Graham Mathias (ex-Met). We very much hope to be able to bring in PSNI expertise, in conjunction with NGO developmental knowhow.

Timing

This short term assistance would be for a 6 month period from Feb 09, during which time we would envisage:

- an initial introductory visit in Feb: 5 days for ACC and 10 days for Chief Supt;
- a Second visit for 10 days end March – start April, and
- one or two subsequent visits for 10 days.

Graham and Catherine would also be on the Feb visit, and overlap with some of the future visits, as well as being available by phone/email otherwise to direct the work.

Request for PSNI officers

- **ACC Duncan McCausland:** Although we realise that you have many commitments, it would be particularly appropriate if we could seek the involvement of ACC Duncan McCausland in this work, as a senior figurehead for PSNI assistance, with a remit covering criminal justice & Policing with the Community. This is especially relevant for Sri Lanka since we are trying to emphasise the links across the wider justice sector and promoting the development of community policing, within a context of internal conflict. We hope that the ACC could come for the first 5 days of the Feb visit, and we would arrange a suitable high level programme.
- **Chief Supt Gary White:** it would be ideal to also draw on Chief Supt Gary White's expertise for the hands-on assistance. It would be invaluable to draw on comparative (South-South) approaches across developing countries to police reform and in particular developing community policing, and his experience in Bolivia would be very useful. We must ensure that a developmental and comparative approach is being taken to assistance since only a Sri Lankan-led process and strategies, and legislation developed by Sri Lanka (albeit with UK assistance) will succeed in being embedded. White demonstrated the ability to relate to different nationalities and contexts and convey the core elements of democratic policing as a service.

Planned meetings for first visit

The first visit would therefore consist of:

- a. briefings by SSDAT, police consultant, British High Commission and key NGO;
- b. high level meetings with Inspector General of Police and senior management;
- c. meetings with Strategic Development Division and *hands on assistance to them*;
- d. meetings with MOD (relevant line ministry for Police in Sri Lanka) and other relevant Government actors;
- e. liaising with key NGO working at community level with the Police;
- f. meeting with UK NGO expert coming out and assessing how best to jointly support the needs of the Strategic Development Division;
- g. meeting with other donors involved.

No other UK Police Service involved

SSDAT can confirm that no other UK Police Service is engaged with this work in Sri Lanka.

Catherine Weiss
Governance & Conflict Adviser
Security Sector Development Advisory Team ("SSDAT")
FCO/DFID/MOD

30 January 2009

s.F40(2)

Page 1 of 1

s.F40(2)(a)

s.F40(2)(b)

s.F40(3)(ai)

Veronica Dougherty

To: [REDACTED]@psni.pnn.police.uk

Subject: RE: 1.NOT PROTECTIVELY MARKED-All Networks:: Assistance from PSNI for HMG Development work in Sri Lanka (Com Sec 09\227)

Dear [REDACTED]

Please treat this e-mail as an acknowledgement of Sir Hugh's letter dated 9 February 2009.

Thank you

Veronica Dougherty
Personal Secretary to Chairman,
Vice-Chairman and Chief Executive
(Northern Ireland Policing Board)

Direct Line: (028) 90 408535

From: [REDACTED]@psni.pnn.police.uk [mailto:[REDACTED]@psni.pnn.police.uk]

Sent: 10 February 2009 10:08

To: Veronica Dougherty

Subject: 1.NOT PROTECTIVELY MARKED-All Networks:: Assistance from PSNI for HMG Development work in Sri Lanka (Com Sec 09\227)

Please find attached correspondence from the Chief Constable.

[REDACTED]
Command Secretariat

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10/02/2009

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