



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2022-00842

**Keyword:** Organisational Information/Governance

**Subject:** PSNI Procedures

### 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

If PSNI feel that the care regulator or "watchdog" (RQIA) is not fulfilling its obligations, due to incompetence or corruption, and is leaving vulnerable people open to abuse or actually being abused, when does the PSNI step in? (Under what circumstances)

#### Answer

Page 5/6 of the Adult Safeguarding Service Policy under the Banner "Multi Agency Response to Adult Safeguarding, states;

*"HSC Trusts and the PSNI are the lead agencies with responsibility for adult protection. Each HSC Trust will have an Adult Protection Gateway Service which will receive adult protection referrals. Referrals outside normal working hours should be made to the Regional Emergency Social Work Service (RESWS).*

*The Protocol for Joint Investigation of Adult Safeguarding Cases guides interagency referral, consultation and information exchange and working arrangements and provides clarity in respect of the roles of the Police Service and HSC Trusts in the delivery of the adult protection response.*

*Police will remain the Lead Agency for all criminal investigation elements within an Adult at Risk of Harm or Adult in Need of Protection abuse enquiry. This includes all aspects of gathering evidence for criminal proceedings such as obtaining forensic evidence, medical evidence, photographs, statements etc. and will also include any evidential interview with the victim or other witnesses.*

*This does not preclude the participation of other agencies in aspects of this work, but as Police provide necessary skills in evidence-gathering they will retain responsibility and accountability for this activity.*

*In dealing with Criminal Offences involving Adults at Risk of Harm and Adults in Need of Protection, Police work in partnership with Social Services and decisions in the Criminal Investigation will be informed by this. Considerations for Police instigating a Criminal Investigation will include the best*

*interest of the Adult at Risk. Views expressed by Agencies and other parties regarding the best interest of the Victim should be noted and considered.*

*Within the context of a multi-agency response to Adult Safeguarding various other statutory bodies have a role. Further details can be found in [DHSSPS Adult Safeguarding: Prevention and Protection in Partnership](#).*

*To assist police, the Northern Ireland Adult Safeguarding Partnership (NIASP) provides a wide range of support for our activity. Dozens of community, faith, care, volunteer and charitable organisations are represented in our partnership with NIASP and are available to assist police delivering services at the local level. A full list of the available contacts is available on the [NIASP website](#).”*

This reinforces that Police do not “step in”, rather they are the lead agency for all criminal investigations relating to Adults at Risk of Harm or Adult in need of Protection abuse enquiries.

## **Request 2**

Also, I you could please clarify, if for example a staff member on the phone gives incorrect information to the public, and that member of the public wants to make a complaint, is there not an internal complaints procedure which can be gone through, as opposed to, as I have been advised in writing by PSNI, taking the somewhat drastic step of going to the police ombudsman. Isn't that a last resort, when all other complaints procedures have been exhausted?

## **Answer**

The Police Ombudsman for Northern Ireland is the appropriate body to handle complaints against PSNI.

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](mailto:foi@psni.pnn.police.uk).

If, following an Internal Review carried out by an independent decision maker, you remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, 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', or use the ICO self-service portal available at [www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/](http://www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/)

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](http://www.psni.police.uk)

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

