



FREEDOM OF INFORMATION REQUEST



Request Number: F-2019-01203

Keyword: Organisational Information/Governance

Subject: State Codes Used For Radio Communications

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

I am enquiring about your usage of radio communications. Do you use the commonly known 'State Codes' used by other British services such as the Metropolitan Police?

Request 2

If you don't use the same state codes as other services, can you provide a list of your own ones?

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)(a) – Law Enforcement – Information would likely prejudice (a) the prevention and detection of crime.

A section 31 is prejudiced based, qualified exemption and there is a requirement to articulate the Harm and conduct a Public Interest Test.

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.

Harm

The release of status codes for deployment and management of Police resources could be detrimental to the security of PSNI personnel. Different codes mean different activities and actions being performed. As such the release of this information could/may give those with ulterior motives information about police activity and locations and work status. This would/could comprise officer and staff safety. This argument is further confirmed by the current threat level in Northern Ireland which is SEVERE.

Public Interest Test

Factors Favouring Release - Section 31

PSNI must be accountable for their procedures. To provide the communication codes that are used by officers would enhance the transparency and accountability of the service. This would enable the public to have a better understanding of effectiveness of police.

Factors Favouring Retention - Section 31

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

Decision

PSNI is entrusted with a considerable amount of information and has an important role in countering the many threats against society. Vitally important to the ongoing ability to combat criminality is the ability of PSNI to pursue investigations, including future investigations against such criminal activity and utilise evidence gathered.

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 release to the world in general, not just to the individual requesting the information.

Disclosure of the communication codes into the public domain has the potential to advantage criminals and compromise the law enforcement role of police, hindering the prevention or detection of crime. Whilst the PSNI would always wish to be transparent and accountable, there is a very strong interest in safeguarding both police methodology and procedures. However, police need to make balanced judgements which justify why some information needs to remain exempt and unpublished. I have therefore determined that the release of this information 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 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.