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26/03/2025

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 092/2024

Thank you for your request for information regarding PSNI referrals to the Central Referral Unit (CRU); which has now been considered.

Applicant Question:

I am seeking information on Police Service of Northern Ireland (PSNI) referrals to the NPFDU Central Referral Unit/NPCC CRU regarding Freedom of Information and Environmental Information Regulations requests.

The NPCC has previously released figures on referrals by the PSNI (and all other police forces) in response to FOI ref 432/2024.

This covered three months, Jan - March 2024.

I am seeking the same information, covering a longer time period, but only for PSNI referrals.

1) Please provide a breakdown of PSNI FOI/EIR referrals logged by the NPFDU Central Referral Unit/NPCC CRU.

Please provide the information, by month, for 2024.

If possible, please also provide monthly figures for 2023, 2022, 2021, 2020.

Note: The NPCC released similar data covering all 46 police forces (432/2024) for the months Jan, Feb, March 2024.

This was 138 data points (46 forces x 3 months). For the PSNI data, 12 months by five years would be 60 data points.

Doc 1 - <https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/disclosure-logs/digital-data-and-technology-coordination-committee/2024/432-2024-npcc-response-letter---cru-force-referrals.docx.pdf>

2) Please also provide a list of the mandatory referral topics which were in place for 2024 (and 2020-2023, if that data is being provided) or which are in place now – whichever is easiest to provide

Doc 2 - <https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/disclosure-logs/digital-data-and-technology-coordination-committee/2024/432-2024-npcc-response-part-3-attachment.pdf>

NPCC Response:

The NPCC does hold information relevant to your request.

1. The NPCC does hold monthly totals for cases that PSNI have confirmed they have received and therefore most likely received advice for. This does not necessarily mean that they were the originating referring force as to ascertain whether or not PSNI were the originating force, each of these cases would need to be reviewed manually, which would engage Section 12 Cost.
Due to retention schedules, no information is held prior to 2022.

	2024	2023	2022
Jan	18	22	17
Feb	14	21	28
Mar	11	19	19
Apr	19	21	29
May	17	14	26
Jun	11	24	24
Jul	7	12	23
Aug	11	22	35
Sep	8	12	24
Oct	4	9	29
Nov	4	7	20
Dec	9	9	16
TOTAL	133	192	290

2. As per your request option, at the time of your request the current mandatory referral criteria are:
 - Witness protection/protected persons.
 - Requests which name and/or relate to information which MAY originate from any of the S23 bodies.
 - Covert operations, use of informants or surveillance activities or tactics.
 - Counter terrorism (incl Prevent, Pursue, Protect, Prepare) and/or national security material or operations.
 - VIP/Royalty Protection.
 - Information received from or which relates to certain partner agencies. **Referral only required once established information is captured by the request**
 - Major or complex incidents or major investigations or operations.
 - International Relations
 - National Security
 - Notification of ICO complaint, First Tier Tribunal or Upper Tribunal activity
 - Requests with potentially **significant** reputational implications, e.g. the storage of human tissue.

- Requests for information held for the purpose of a statutory Inquiry under the Inquiries Act 2005

Additionally, the following is currently a temporary mandatory referral criteria:

- Angiolini Inquiry – Request that cite the Angiolini Inquiry or relate to it

All other temporary mandatory referral criteria have been withheld, citing Section 31(1) Law Enforcement, as to release the criteria would reveal current areas of policing focus, which would be detrimental to law enforcement processes and effectiveness. For more information on the legislation and the risk of harm, please see Annex A below.

Yours sincerely

Fiona Greenlees
Freedom of Information Officer & Decision Maker

www.npcc.police.uk

COMPLAINT RIGHTS

Internal Review

If you are dissatisfied with the response you have been provided with, in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 40 working days of the date of this response. The handling of your request will be looked at by someone independent of the original decision, and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

Annex A

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

Legislation – Section 16

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.

Legislation - Section 31 Law Enforcement

- (1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice -
 - (a) the prevention or detection of crime
 - (b) the apprehension or prosecution of offenders

Disclosure of this information would have the likelihood of identifying specific vulnerabilities, which would ultimately compromise police tactics, operations and future prosecutions. Any information identifying the focus of policing activity could be used to the advantage of terrorists or criminal organisations. Information that undermines the operational integrity of these activities will adversely affect public safety and have a negative impact on law enforcement. Public safety would be put at risk if criminals were able to counteract police tactics.

Any information that could impact or undermine ongoing investigations or any future investigations would enable targeted individuals / groups to become tactically aware of the police capabilities. This would help subjects and avoid detection, and inhibit the prevention and detection of crime.

The NPCC will not disclose information which may hinder the effective management of law enforcement or place staff or officers at risk. Whilst there is a public interest in the transparency of policing operations and in this case providing assurance that the police service is appropriately and effectively managing this area of policing, there is a very strong public interest in safeguarding the tactical abilities.

The prevention and detection of crime is the foundation upon which policing is built and the police service have a clear responsibility to prevent crime and arrest those responsible for committing crime or those that plan to commit crime. Disclosure of information captured by this request could directly influence the stages of that process, and jeopardise current investigations or prejudice law enforcement.

Disclosing information which may place the public at risk, or make it easier for crime to be committed cannot be in the public interest.

The police service primary performance indicator is the reduction of crime, and disclosure which has a negative impact on that agenda affects public trust in policing and in this case may make it more difficult to police.

With regard the evidence of harm itself, there is a threshold that requires the predicted issues to be 'more than likely'. In the case of an offender identifying full investigative techniques or gleaning information which would assist in offending behaviour can be difficult to establish and evidence the harm without actually disclosing exempt information. However, the principles are well established in terms of Freedom of Information legislation that to a certain extent the professional opinion of the police must be taken into account.

The NPCC is committed to demonstrating proportionality and accountability however in this case, in this case we believe that the balance falls on the side of withholding the exempt information.