

15th January 2025

REFERENCE: FOI24\146

Dear Sir,

Thank you for your request for information dated 13th December 2024 and detailed below.

(i) *Could I please ask for a link to the minutes of the NISAR policy group's quarterly meetings over the past 12 months, particularly where K9 Search and Rescue's application to join NISAR was discussed?*

(ii) *Can I also please ask for copies of NISAR's annual reports for the years 2021-22, 2022-23 and 2023-24 to be made available, as the last of these to be made available on the Assembly's website was for 2020-21?*

The Freedom of Information Act 2000 gives you two rights of access when you write to us asking for information. You have the right to know whether we hold the information that you are looking for, and you have the right to have the information given to you. These rights may only be overridden if the information you are looking for is covered by an exemption in the Act.

The names and contact details of junior officials are exempt from disclosure under Section 40(2) – Personal Information, and Section 38 – Health and Safety, of the Freedom of Information Act 2000.

Section 40(2)

The Data Protection Act 2018 prohibits the release of personal data and information which relates to third parties which could, if released, identify the third party to whom it relates. Disclosure would contravene the first and second principle of the Data Protection Act in that the data would be processed unfairly and in a manner incompatible with the original purpose. Further, none of the conditions in Article 6 of the General Data Protection Regulation are met to authorise lawful disclosure.

There is an expectation that names of these officials would not be released publically in connection with their work to protect their personal right to privacy. Furthermore, release of their names and contact details into the public domain could result in them potentially perceiving or receiving pressures, threats or intimidation because they work for the DOJ. Release of this information would be unfair thus breaching the first principle of the Data Protection Act.

Section 38(1)

Section 38 is a qualified exemption and when it is applied we are required to consider whether the public interest in withholding information outweighs the public interest in releasing it. Please find below the results of the Public Interest tests in relation to Section 38.

Section 38 – Health and Safety Public Interest Test

In favour of release:

There is a general public interest in transparency and openness in how Government works. The public have an expectation that those who work in the public sector should be accountable for decisions made in their name and at the tax payers' expense. The

public may also believe they have a right to know who works in which post within a public authority.

In favour of non-disclosure:

Given the sensitive nature of some of the work carried out by the DOJ, some individuals might or might be likely to be exposed to increased risk of targeting or attack should their involvement in certain work be made public. This risk of attack or targeting could be increased depending on where an official lives and in some cases, officials do not let their friends and family know where they work for fear of such attack. There is obviously a strong public interest in avoiding harm to individuals and their families in relation to this matter.

Conclusion:

We have concluded that the public interest in retaining the officials' names which falls within the criteria described above for s38 outweighs the public interest in release.

(i) Please see attached a copy of the minutes of the NISAR Policy Group meeting of the 19th November 2024. The names of those individuals representing Organisations on the NISAR Policy Group have been redacted as explained above. In the case where an individual's name has been redacted, the name of the organisation they represent on the NISAR Policy Group has been included to ensure the minutes are best understood and ensuring openness and transparency. This is the only meeting that has taken place in the last 12 months. The previous meeting of the NISAR Policy Group was in November 2019.



Redacted Copy of
NISAR Policy Group M

(ii) In relation to the NISAR Annual Reports I can confirm that we do not hold any annual reports for that period. The Northern Ireland Search and Rescue Annual Reports have not been published on the Department's website since 2021 due to significant staffing constraints. However, I can assure you that the relevant data for this period has continued to be collected and will be published in due course. The intention is to have

the 2021/22 information published in March 2025, with the 2022/23 and 2023/24 reports to be published later in the year.

If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review please do so in writing stating the reasons to the address above.

If following an internal review you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask the Commissioner to investigate whether the DOJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out.

Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

Yours sincerely

Records & Information Manager