

## PBNI Disclosure Log – Response to Request

### Category: Supervision

Request Reference: 023.41.17

Date of Request: 15 September 2017

Date of Response: 25 September 2017

### Request and Response

Q1. How many offenders have transferred to Northern Ireland from England & Wales on a restricted transfer basis to be managed by PBNI in the last 10 years?

Q2. How many of these offenders were born in Northern Ireland?

Q3. How many of these offenders had children born in Northern Ireland?

Q4. What's the religious background of all these offenders?

Q5. How many restricted transfer offenders have broken their licence conditions and recalled back to prison in the last 10 years?

Q6. How many of these were returned to prisons in England & Wales after they broke their licence conditions in Northern Ireland and recalled to prison, in the last 10 years?

Q7. What's the percentage of Catholics that work for the PBNI?

Q8. What's the percentage of Protestant males that work for the PBNI?

PBNI will hold partial information in respect of Questions 1, 2, and 5. PBNI does not hold information in respect of Questions 3, 4 and 6. PBNI holds information in respect of Questions 7 and 8.

Section 17 (5) of the FOIA requires public authorities when refusing to provide information on the basis that the cost of compliance exceeds the appropriate limit (Section 12 (1) FOIA) to provide the requester with a refusal notice.

It is estimated that the cost of complying with your request in respect of Questions 1, 2 and 5 would exceed the appropriate cost limits under Section 12 (1) of the FOIA. The appropriate limit for public authorities including PBNI is £450.

The relevant Regulations which define the appropriate limit for section 12 purposes are, The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244. Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations the fees limit equates to 18 hours at £25 per hour.

In respect of Questions, 1, 2 and 5 above, the specific information you seek is not held in an easily retrievable format. PBNI's electronic case management system does not have the functionality to enable the specific information to be identified automatically. In order to retrieve the information sought, this would require PBNI to review each referral and/or each Pre-Sentence report (PSR). PBNI produces between 5000 and 7000 PSRs annually. It supervises over 4000 offenders at any given time. To review even one month's reports (approximately 500) alone, allowing a conservative estimate of 15 minutes to review and extract relevant information would equate to 125 hours work. PBNI is therefore unable to provide you with this information.

PBNI publishes quarterly caseload statistics you can access on the website, which you may find helpful. If you do not have access to the internet, please advise and I can send you a hard copy of the relevant document.

<http://www.pbni.org.uk/about-us/statistics-research/pbni-caseload-statistics/>

The archived statistics date back to 2011/2012.

This will give you some information on transfers and reports written including recall reports. You should note that the reference to GB transfer licences reflects transfers where there is no equivalent legislation/Order in Northern Ireland. There may also be transfers included in the statistics provided for any Order listed and these are not limited to transfers from England and Wales but may include transfers from Scotland and/or the Republic of Ireland.

The statistics in respect of reports are also outlined in the quarterly caseload information, but these include Breach, Recall and Revocation reports. I can confirm that the total number of recall reports written from 2011 to 1 September 2017 was 904. These reports will only contain recommendations from PBNI in respect of recalls. Decisions to recall life sentence and public protection sentence prisoners in Northern Ireland are made by the Parole Commissioners for Northern Ireland (PCNI), and by respective Parole Boards in other jurisdictions i.e. England & Wales, Scotland and Republic of Ireland.

You may wish to contact the Parole Board in England and Wales, who may have information more readily accessible in order to respond to some of your queries, in particular questions 5 and 6. I understand you already have the contact details. Alternatively, Her Majesty's Prison & Probation Service (HMPPS) formerly NOMS may also be able to advise you.

<https://www.gov.uk/government/organisations/her-majestys-prison-and-probation-service>

In respect of questions 7 and 8, the community background information of employees within the Probation Board for Northern Ireland is gathered and retained for monitoring purposes only, in accordance with the Fair Employment (Monitoring) Regulations (Northern Ireland) 1999. The table below reflects PBNI's Fair Employment Monitoring Return as at 01/01/2017.

|                       | <b>Male</b> | <b>Female</b> | <b>Total + %</b> |
|-----------------------|-------------|---------------|------------------|
| <b>Protestant</b>     | 41          | 119           | 160 (44.57%)     |
| <b>Roman Catholic</b> | 58          | 125           | 183 (50.97%)     |
| <b>Non Determined</b> | 6           | 10            | 16 (4.46%)       |
|                       |             |               |                  |
| <b>Total</b>          | 105         | 254           | 359              |

If you have any queries about this response, please come back to me. Please quote the above amended reference number in any future correspondence.

If you are unhappy with the way PBNI has handled your request, you may ask for an internal review using our [complaints procedure](#). See [www.pbni.org.uk](http://www.pbni.org.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office,

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Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF.

Please note that PBNI publishes responses to requests for information on its website where we believe there may be a wider public interest. If requests are published they are anonymised i.e. details of the requester are not published.