



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-02683

Keyword: Crime

Subject: Anti-Social Behaviour Orders

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- disclose records in relation to the number of Anti-Social Behaviour Order's issued/breached by year in full and;
- fully exempt records in relation to the demographics of offenders pursuant to the provisions of Section 40(2)(a)(b) of the Act.

Question

Would it be possible to view figures on antisocial behaviour orders (asbos) in Northern Ireland? I would like to know how many have been issued by year and if possible the demographics of those issued with antisocial behaviour orders and if these orders have been breached.

Answer

Please see the table below, detailing the number of Anti-Social Behaviour Orders issued and breached from 2005 – 2010.

Year	Anti-Social Behaviour Orders Issued	Anti-Social Behaviour Orders Breached
2005	9	3
2006	32	9
2007	24	11
2008	32	4
2009	25	5
2010	13	0

Section 17 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.

Your request contains questions that to answer would require me to release personal details about individuals other than the applicant. Demographic information of those issued with ASBO's would detail characteristics, which are classed as Sensitive Personal Data, for example gender, race, age disability etc. This would be a breach of the Data Protection Act and is catered for within Freedom of Information by the exemptions under Section 40(2)(a)(b) as outlined below.

Section 40(2)(a)(b) is a Class-based exemption, therefore it is not necessary to evidence the harm caused by disclosure. The data protection rights of a third party would be breached by disclosure, therefore Section 40(2) is an Absolute exemption and a Public Interest Test is not necessary. This is so because personal data is governed by other law (The Data Protection Act 1998).

All requests made under FOIA are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain and not just to an individual.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal data about a third party it can only be released if disclosure would not breach any of the data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly. This data was imparted to the PSNI for the purpose of crime recording, to process this information for any other purpose, i.e. by releasing it under Freedom of Information would be unfair to the individuals concerned and therefore a breach of this principle.

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.