



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2010-01649

**Keyword:** Crime

**Subject:** Racist Incidents

### 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 numbered 1, 2 & 3 subject to the deletion of information pursuant to the provisions of sections 38 & 40 of the Freedom of Information 2000 (the Act)
- disclose records numbered 4, 5 & 6 in full

### Question 1

Further to the recent publication of crime statistics for 2009/10 I would be grateful if you could supply me with a further breakdown of the statistics to include:

Recorded Hate Crime: Offences Recorded and Detected for the years 2008/09 and 2009/10. (This should include the types of offences as set out in Table 1.2 PSNI Annual Statistical Report No. 1 Recorded Crime & Detections 1st April 2009 – 31st March 2010 such as Offences against the person (class 1, 2, 3, 4 etc...))

### Answer

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.

The decision has been taken to refuse access to some of the requested information. The exemptions considered are listed below:

Section 40(2)(a)(b), (3)(a)(i) – Personal Information

## Section 38(1)(a)&(b) - Health and Safety

Section 40(2)(a)(b), (3)(a)(i) – Personal Information 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).

Some of the requested information has resulted in the retrieval of low cell value statistics which could potentially identify individuals or victims, of hate crime. 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) as outlined below.

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.

Section 38(1)(a)&(b) - Health and Safety is a prejudiced based exemption and this means it is the Public Authority's responsibility to evidence the harm. It is also a qualified exemption and therefore a Public Interest Test must be carried out.

The Harm test and Public Interest Test are provided below.

### **Harm Test**

Releasing information with low level data has the potential to identify the victims involved in some of the incidents. This could cause distress to those involved and impact on their mental health, impeding their recovery.

### **Public Interest Test**

#### **Factors Favouring Release**

Releasing the information would promote openness and transparency. The public would therefore be better informed about racially motivated offences.

#### **Factors Favouring Retention**

Releasing some low level data could potentially identify the victims of these crimes. This could cause mental distress and suffering to the individuals involved and impede any recovery.

### **Balancing Test**

Although there is public interest in racially motivated crime, disclosure of some low level data could potentially identify the victims of these offences. Releasing such information could cause mental distress and suffering to the individuals who have been affected by these crimes. The PSNI has a responsibility to protect victims and safeguard their identity. I have therefore decided that it would not be in the public interest to release some of the low level data however the remaining statistics have been released in order to promote transparency.

Please see tables below on pages 1, 2 and 3 detailing offences recorded and detected for 2008/09 and 2009/10 for crimes with a hate motivation, subject to the deletion of information pursuant to the provisions of sections 38 & 40 of the Freedom of Information Act 2000.

Please note that some further information in relation to detection rates has been deleted (marked 'Not relevant to request') as this information has not been requested and further, in some instances would reveal other withheld information.

### **Question 2**

Ethnic origin of victims of racist incidents, 2008-09 and 2009-10.

### **Question 3**

Age and gender of victims of racist incidents, 2008-09 and 2009-10.

### **Answer**

Please see the table on page 4 below, detailing the victims' age, gender and ethnicity for crimes with a racist motivation for 2008/09 and 2009/10.

### **Question 4**

Ethnic origin of perpetrators of racist incidents, 2008-09 and 2009-10.

### **Question 5**

Age and gender of perpetrators of racist incidents, 2008-09 and 2009-10.

### **Answer**

Please see table on page 5 below, detailing the offenders' age, gender and ethnicity for crimes with a racist motivation for 2008/09 and 2009/10.

### **Question 6**

I would also be grateful if you could provide statistics on the location of recorded racist incidents, 2008-09 and 2009-10 (to include locations such as dwelling house, street shop etc)

### **Answer**

Please see table on page 6 below, detailing crimes with a racist motivation by location for 2008/09 and 2009/10.

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](mailto: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](http://www.psni.police.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.



Crimes with a hate motivation<sup>1</sup>: Offences Recorded and Detected 2008/09 and 2009/10 continued

Not relevant to Request

		Total offences recorded				Total offences detected		Detection rate (%)		
		2008/09	2009/10	change	% change	2008/09	2009/10	2008/09	2009/10	change in % pts <sup>2</sup>
<b>Robbery (class 4)</b>										
Robbery	s.F38									
Armed robbery	s.F38(1)									
Hijacking	s.F38(1)(a)									
<b>Totals</b>	<b>s.F38(1)(b)</b>	<b>25</b>	<b>15</b>	<b>-10</b>	<b>-40.0</b>					
<b>Theft (class 5)</b>										
Theft, one person from another						0	0			
Theft in a dwelling	s.F40	0				0	0			
Theft by an employee	s.F40(2)	0	0	0	-	0	0			
Theft of pedal cycles	s.F40(2)(a)	0				0	0			
Shoplifting	s.F40(2)(b)	0				0	0			
Vehicle Crime (Total)	s.F40(3)(a)		0			0				
Theft from motor vehicles			5			0				
Theft or unauthorised taking of motor vehicles		0	0	0	-	0	0			
Vehicle tampering/interference	s.F38		5				0			
Handling of stolen goods	s.F38(1)	0	0	0	-		0			
Other thefts	s.F38(1)(a)	25	26	1	4.0					
<b>Totals</b>	<b>s.F38(1)(b)</b>	<b>33</b>	<b>36</b>	<b>3</b>	<b>9.1</b>		<b>5</b>			
<b>Fraud and forgery (class 6)</b>										
Deception	s.F40					0	0			
Forgery and counterfeiting	s.F40(2)					0	0			
Making off without payment	s.F40(2)(a)					0				
Other frauds	s.F40(2)(b)					0	0			
<b>Totals</b>	<b>s.F40(3)(a)</b>					<b>0</b>				
<b>Criminal damage (class 7)</b>										
Arson	s.F40(3)(a)	64	76	12	18.8	2				
Petrol bombing offences		6	11	5	83.3	2				
Explosives offences		1	3	2	200.0	0	0			
Criminal damage/malicious damage offences		900	899	-1	-0.1	51	62			
Other criminal damage offences		20	28	8	40.0	5				
<b>Totals</b>		<b>991</b>	<b>1,017</b>	<b>26</b>	<b>2.6</b>	<b>60</b>	<b>70</b>			

Not relevant to Request

Not relevant to Request

Crimes with a hate motivation<sup>1</sup>: Offences Recorded and Detected 2008/09 and 2009/10 continued

	Total offences recorded				Total offences detected		Detection rate (%)		
	2008/09	2009/10	change	% change	2008/09	2009/10	2008/09	2009/10	change in % pts <sup>2</sup>
<b>Offences against the state (class 8)</b>									
Offences under anti-terrorism legislation	0	0	0	-	0	0			
Firearms offences	0	0	0	-	0	0			
Offences under the Public Order (NI) Order	51	57	6	11.8	42	46			
Other offences against the public order	13	22	9	69.2	1	7			
<b>Totals</b>	<b>64</b>	<b>79</b>	<b>15</b>	<b>23.4</b>	<b>43</b>	<b>53</b>			
<b>Other notifiable offences (class 9)</b>									
Blackmail <b>s.F38</b>									
<b>s.F38(1)</b>					0	0			
Kidnapping and false imprisonment <b>s.F38(1)(a)</b>					0	0			
Drug offences (Total) <b>s.F38(1)(b)</b>	2	1	-1	-50.0	1	1			
Trafficking offences <b>s.F40</b>	1	0	-1	-100.0	0	0			
Non-Trafficking offences <b>s.F40(2)</b>	1	1	0	0.0	1	1			
Dangerous driving <b>s.F40(2)(a)</b>					0	0			
Breach of orders <b>s.F40(2)(b)</b>	3	2	-1	-33.3	2	1			
Other notifiable offences <b>s.F40(3)(a)</b>					0	0			
<b>Totals</b> <b>s.F40(3)(ai)</b>	<b>7</b>	<b>3</b>	<b>-4</b>	<b>-57.1</b>	<b>3</b>	<b>2</b>			
<b>Violent Crime (classes 1, 2 and 4)</b>	<b>840</b>	<b>965</b>	<b>125</b>	<b>14.9</b>	<b>173</b>	<b>216</b>			
<b>Grand Total (all classes)</b>	<b>1,968</b>	<b>2,134</b>	<b>166</b>	<b>8.4</b>	<b>288</b>	<b>354</b>			

Not relevant to Request

<sup>1</sup>A hate motivated crime is defined as any crime which is perceived by the victim or any other person, as being motivated by prejudice or hate (ACPO Definition). Hate motivated crimes include offences with a racist, sectarian, religious, homophobic, disability or transphobic motivation. Data Quality: The PSNI's statistics on incidents/crimes with a hate motivation are derived from a motivation 'tick box' contained in the Occurrence Management Form which has to be completed by a police officer or member of police staff for each such reported incident/crime. The correct application of a hate motivation for all such incidents/crimes is not quality assured by the PSNI's Central Statistics Branch, but quarterly audits are conducted to ensure that any under or over-recording is corrected.

<sup>2</sup>While the detection rates are rounded to one decimal place, the detection rate change in % pts is calculated on the unrounded detection rates and then rounded to one decimal place.

**Victim characteristics for crimes with a racist motivation<sup>1</sup>**  
**2008/09 and 2009/10**

	2008/09	2009/10
<b>Victim gender</b>		
Female	233	221
Male	492	436
Missing	40	50
Victimless <sup>2</sup>	6	5
<b>Total</b>	<b>771</b>	<b>712</b>
<b>Victim Age</b>		
Under 18	66	60
18-64	646	582
65 and over	6	4
Missing	47	61
Victimless <sup>2</sup>	6	5
<b>Total</b>	<b>771</b>	<b>712</b>
<b>Victim ethnicity</b>		
White	461	394
Black	57	43
Asian	103	106
Other	49	46
Unknown	95	118
Victimless <sup>2</sup>	6	5
<b>Total</b>	<b>771</b>	<b>712</b>

Source: PSNI Central Statistics Unit

<sup>1</sup>A racist motivated crime is defined as any crime which is perceived by the victim or any other person, as being motivated by prejudice or hate (ACPO Definition) towards a racial group. A racial group can be defined as a group of persons defined by reference to race, colour, nationality or ethnic or national origins (this includes UK National origins ie Scottish, English, Welsh and Irish) and references to a person's racial group refer to any racial group into which he/she falls. Racial group includes the Irish Traveller community.

<sup>2</sup>Victimless crimes include offences which are not recorded against person victims e.g. those recorded against businesses or the state.

<sup>3</sup>This data should be treated as provisional as it is based on a live crime recording system.

Data Quality: The PSNI's statistics on incidents/crimes with a hate motivation are derived from a motivation 'tick box' contained in the Occurrence Management Form which has to be completed by a police officer or member of police staff for each such reported incident/crime. The correct application of a hate motivation for all such incidents/crimes is not quality assured by the PSNI's Central Statistics Branch, but quarterly audits are conducted to ensure that any under or over-recording is corrected.



**Offender characteristics for crimes with a racist motivation<sup>1</sup> recorded  
and since detected<sup>2</sup>  
2008/09 and 2009/10**

	2008/09	2009/10
<b>Total number of offenders<sup>3</sup> for crimes with a sectarian motivation that have since been detected</b>	<b>104</b>	<b>95</b>
<b>Offender gender</b>		
Female	17	20
Male	86	73
Unknown	1	2
<b>Total</b>	<b>104</b>	<b>95</b>
<b>Offender Age<sup>4</sup></b>		
Under 18	40	45
18 and over	63	47
Unknown	1	3
<b>Total</b>	<b>104</b>	<b>95</b>
<b>Offender ethnicity</b>		
White	94	88
Other	2	1
Unknown	8	6
<b>Total</b>	<b>104</b>	<b>95</b>

Source: PSNI Central Statistics Unit

<sup>1</sup>A racist motivated crime is defined as any crime which is perceived by the victim or any other person, as being motivated by prejudice or hate (ACPO Definition) towards a racial group. A racial group can be defined as a group of persons defined by reference to race, colour, nationality or ethnic or national origins (this includes UK National origins ie Scottish, English, Welsh and Irish) and references to a person's racial group refer to any racial group into which he/she falls. Racial group includes the Irish Traveller community.

<sup>2</sup>Relates to all hate motivated crimes that were recorded in the specified time period and since detected.

<sup>3</sup>Relates to the number of offenders rather than the number of crimes. If an offender has been detected for more than one hate motivated crime during the specified period they will be only be counted once.

<sup>4</sup>Refers to the offender's age at the time the crime was committed.

<sup>5</sup>This data should be treated as provisional as it is based on a live crime recording system.

Data Quality: The PSNI's statistics on incidents/crimes with a hate motivation are derived from a motivation 'tick box' contained in the Occurrence Management Form which has to be completed by a police officer or member of police staff for each such reported incident/crime. The correct application of a hate motivation for all such incidents/crimes is not quality assured by the PSNI's Central Statistics Branch, but quarterly audits are conducted to ensure that any under or over-recording is corrected.

**Crimes with a racist motivation<sup>1</sup> by location<sup>2</sup>**  
**2008/09 and 2009/10**

<b>Location</b>	<b>2008/09</b>	<b>2009/10</b>
Commercial	11	9
Dwelling	399	365
Education	7	6
Hospitality	43	50
Leisure	2	4
Medical	4	1
Moving vehicle	5	6
Public building	13	11
Public place	229	164
Shop	19	13
Travel	4	2
No location recorded	35	81
<b>All Crimes</b>	<b>771</b>	<b>712</b>

Source: PSNI Central Statistics Unit

<sup>1</sup>A racist motivated crime is defined as any crime which is perceived by the victim or any other person, as being motivated by prejudice or hate (ACPO Definition) towards a racial group. A racial group can be defined as a group of persons defined by reference to race, colour, nationality or ethnic or national origins (this includes UK National origins ie Scottish, English, Welsh and Irish) and references to a person's racial group refer to any racial group into which he/she falls. Racial group includes the Irish Traveller community.

<sup>2</sup>This data should be treated as provisional as it is based on a live crime recording system.

Data Quality: The PSNI's statistics on incidents/crimes with a hate motivation are derived from a motivation 'tick box' contained in the Occurrence Management Form which has to be completed by a police officer or member of police staff for each such reported incident/crime. The correct application of a hate motivation for all such incidents/crimes is not quality assured by the PSNI's Central Statistics Branch, but quarterly audits are conducted to ensure that any under or over-recording is corrected.