



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-01907

Keyword: Crime

Subject: Street Soiling in South Belfast

Request and Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

You previously clarified the time-frame for the requested information as May 2010 – May 2011 and that all questions relate to street soiling only.

Question 1

I am doing a report on claims by residents in Lower Ormeau and Holyland areas of South Belfast that some Romanian/Roma residents are using the entries as toilets.

I would like to know how many complaints you have received about this in the past year and how many convictions there have been against foreign nationals in the area?

Answer

There have been 10 reports of persons urinating in public in this area. There have been no convictions against foreign nationals in the area.

Question 2

What is the maximum penalty for street soiling and how do you secure a conviction?

Answer

Street soiling is classed as indecent behaviour and therefore falls within Section 9 of the Criminal Justice (Miscellaneous Provisions) Act (NI) 1968.

The maximum penalty is as follows:

9.- (1) Any person-

(a) guilty of any indecent behaviour in any street, road, highway or other public place, or in any place to which the public have access (whether as of right or by permission and whether subject to or free of charge) shall be guilty of an offence and shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 3, or to both.

A Level 3 fine can be up to £1000. However, this is the maximum penalty and dependent on the circumstances, can also be dealt with by discretionary disposal or adult caution.

Question 3

Also, how many convictions/prosecutions have there been in general in the South Belfast area?

Answer

7 people have been reported to the PPS (Public Prosecution Service) for urinating in public within South Belfast.

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.