



FREEDOM OF INFORMATION REQUEST



Request Number: F-2013-05289

Keyword: Complaints/Discipline

Subject: Complaints of Racism

Request and Answer:

Question 1

The number of complaints of racism the force and its officers have received from January 2011 to present. The request refers to complaints against officers only and police staff and means member of the public complaining against the force or any of its staff or officer.

Could the number be broken down by year 2011, 2012, 2013. If this will exceed the cost limit could the request start from January 2012 instead.

Question 2

If the cost limit has not yet been exceeded could you answer the following question. How many investigations, criminal and disciplinary, are ongoing into staff for racist assaults and other conduct or misconduct relating to racist or discriminatory behaviour?

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450 (18hrs).

The Police Ombudsman for Northern Ireland, investigate complaints against police or 'designated staff members' by or on behalf of members of the public, of which there are around 3000 complaints received annually. Whilst Discipline Branch, Service Improvement Department, receive notification from the Ombudsman of these complaints, a central record is not maintained. To retrieve the information for one year alone would entail the examination of over 3000 forms, estimated at around 50 hours to extract this information and therefore massively exceed the "appropriate costs limit" under Section 12 (1) of the Freedom of Information 2000, which is currently set by the Secretary of State at £450, at the rate of £25 per hour.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit. Subject to any exemptions that may apply, Discipline Branch can provide the number of police officers disciplined as a result of a complaint allegation of racism since 2011.

Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

By way of providing further assistance, The Ombudsman's website publishes data relating to complaints, http://www.policeombudsman.org/modules/new_statistics/index.cfm

Information retrieved from this site shows under the complaint category '*discriminatory behaviour*', allegation type '*racially discriminatory behaviour*' there were 20 allegations in 2010/11, 31 allegations in 2011/12, and 25 allegations in 2012/13.

If you have any queries regarding your request or this 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.