



FREEDOM OF INFORMATION REQUEST



Request Number: F-2013-04760

Keyword: Crime

Subject: Crime Incidents at Station Road

Request and Answer:

Question

I noticed on your website that there has been a number of crime incidents on Station Road, Belfast BT4 including anti-social behaviour and violent crime. Would it be possible to get further details on the actual incidents from January 2010 until September 2013 for Station Road.

Clarification received:

Can you please provide a one line on what was actually reported to the police on each occasion for these incidents that took place on Station Road, Belfast BT4 or any additional information on these incidents that can be forwarded to me under FOI?

Answer

Please see the table at the end of this correspondence detailing Anti-Social Behaviour incidents and Recorded Offences where the address information contained Station Road, Belfast, BT4 from January 2010 - September 2013.

I have decided not to release all the incidents within this area as to do so would disclose low level data.

Section 17(1) 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 exemptions, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 40(2)(a)&(b) by virtue of Section 40(3)(a)(i) – Personal Information
Section 31(1)(a)&(b)– Law Enforcement

Section 40 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). 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 data protection principles.

Principle (1), that personal data is processed lawfully and fairly. Personal data of this nature is recorded and it must be treated in a highly confidential manner and any public disclosure would be unlawful if there is a breach of that law of confidentiality.

Individuals are entitled to protection under the Data Protection Act 1998. The Service would be failing in its lawful duty were it to breach the Data Protection Act in order to furnish a disclosure under the Freedom of Information Act 2000. When a member of the public provides personal data to PSNI when reporting a crime which has taken place they will have an expectation that the information will be treated fairly. The Service has a duty to protect the personal data of all members of the public and any disclosure of this type of data into the public domain that relates or could be used to identify persons who have been involved in an incident will be unfair to any individual concerned. The public must have confidence that their information is treated sensitively and appropriately.

Section 31, Law Enforcement is a prejudice based and qualified exemption. This means that the Public Authority must outline the harm and consider the public interest in disclosure.

Harm Test

Due to low level crime data anyone who had been involved in crime within this specific road would be able to establish whether the incident had been reported to police and could take action to avoid detection.

Public Interest Test

Factors Favouring Release – Section 31

To release the statistics in full would inform public debate surrounding current issues in this local area. It would also raise awareness of crime and public safety in the area. The public have a right to expect transparency and accountability.

Factors Favouring Retention- Section 31

Any persons involved in crime within this specific road could use this information to assist them in avoiding detection. This would hinder the detection of crime and knowledge that such information could be obtained in this way could encourage further crime, hindering the prevention of crime.

Decision

I have determined that whilst there are valid reasons for release of this information, where such a release has the potential to impact on law enforcement, making the role of the police more difficult, then the information should not be released. The PSNI has a duty to fulfil its law enforcement function and whilst there is a public interest in the transparency of policing, the delivery of effective law enforcement is of paramount importance.

The Police Service will not disclose information, no matter how generic, if to do so would undermine the prevention or detection of crime, the apprehension or prosecution of offenders and the administration of justice.

Please see the table below detailing Anti-Social Behaviour incidents and Recorded Offences summaries where the address information contained Station Road, Belfast, BT4 from January 2010 - September 2013. As outlined above low level data crimes have not been disclosed.

Please note this information is based on data extracted from a live crime recording system and may be subject to change. It is dependent on the information having been input into the system in such a way as to identify those records that are relevant.

Please note that figures within the current financial year (i.e. from 1st April 2013) are provisional and will be subject to change.

Date Reported	Incident Summary
2010	CALLER REPORTS ATTEMPTED BREAK IN
2010	CALLER REPORTS ATTEMPTED BREAK IN
2010	REPORT OF THEFT
2010	ALARM INCIDENT
2010	REPORT OF ANTI-SOCIAL BEHAVIOUR OUTSIDE PROPERTY
2010	CALLER REPORTED PARKED VEHICLES CAUSING OBSTRUCTION
2010	CALLER REPORTED WITNESSING THEFT
2010	CALLER REPORTED CRIMINAL DAMAGE
2010	CALLER REPORTS A LARGE GROUP OF YOUTHS ROAMING AREA
2010	REPORT OF CRIMINAL DAMAGE
2010	REPORT OF CROWD GATHERING IN STREET
2010	REPORT OF YOUTHS CAUSING CRIMINAL DAMAGE
2010	REPORT OF THEFT
2010	REPORT OF THEFT
2010	REPORT OF YOUTHS THROWING WATER BOMBS
2010	REPORT OF PARKED VEHICLES OBSTRUCTING ROAD
2010	REPORT OF THREATENING ASSAULT
2010	COMPLAINT OF HARRASSMENT
2010	CALLER REPORTS CRIMINAL DAMAGE
2010	CALLER REPORTS CRIMINAL DAMAGE
2010	CALLER REPORTS HARASSMENT
2010	REPORT OF THEFT
2011	CALLER REPORTS DISTURBANCE
2011	CALLER REPORTS CRIMINAL DAMAGE
2011	REPORT OF YOUTHS ANTI-SOCIAL BEHAVIOUR
2011	REPORT OF CROWD OF 10-12 YOUTHS ANTI-SOCIAL BEHAVIOUR
2011	REPORT OF ATTEMPTED BURGLARY
2011	REPORT OF CRIMINAL DAMAGE
2011	REPORT OF THREATENING BEHAVIOUR
2011	REPORT OF ASSAULT
2011	REPORT OF ASSAULT
2011	REPORT OF ASSAULT
2011	REPORT OF DISTURBANCE
2011	REPORT OF ANTI-SOCIAL BEHAVIOUR
2011	REPORT OF CRIMINAL DAMAGE
2011	REPORT OF VIOLENCE AGAINST THE PERSON
2011	REPORT OF VIOLENCE AGAINST THE PERSON
2011	REPORT OF THEFT AND CRIMINAL DAMAGE

2011	REPORT OF THEFT AND CRIMINAL DAMAGE
2012	REPORT OF VIOLENCE AGAINST THE PERSON
2012	REPORT OF VIOLENCE AGAINST THE PERSON
2012	REPORT OF STONE THROWING
2012	REPORT OF DRUG OFFENCES
2012	CALLER REPORTS THEFT OF PROPERTY
2013	CALLER REPORTS ANTI-SOCIAL BEHAVIOUR
2013	CALLER REPORTS CRIMINAL DAMAGE TO VEHICLE
2013	REPORT OF THEFT
2013	REPORT OF THEFT
2013	REPORT OF BURGLARY/THEFT
2013	REPORT OF ANTI-SOCIAL BEHAVIOUR
2013	REPORT OF VEHICLES CAUSING AN OBSTRUCTION

For your information PSNI Crime Statistics are available on a monthly basis from September 2011 and data can be downloaded from Crime Mapping on the PSNI website which can be accessed via the link provided below:

<http://www.nicrimemaps.org/>

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.psnipolice.uk

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