

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2020-02120

Keyword: Crime

Subject: Hate Crimes

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we can confirm that the Police Service of Northern Ireland consider the information you seek in request numbers 1 and 2 are exempt by virtue of Section 21 of FOIA, and request number 3 by virtue of Section 8 and we have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

Please quote my reference POL-2020-11 in all correspondence

Request 1

The total number of Hate Incidents recorded for each of the five monitored strands (disability, race, religion, sexual orientation, transgender) during the past two years.

Request 2

The total number of Hate Incidents which have escalated to Hate Crime across the five Monitored Strands.

Answer

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.

Section 21 - Information Reasonably Accessible by Other Means

The information you are requesting in Request 1 and Request 2 can be obtained through the hate motivation figures that are publically available on the PSNI website and for convenience we have provided a link to the website below:

<https://www.psni.police.uk/inside-psni/Statistics/hate-motivation-statistics/>

The number of incidents and the number of crimes for each hate strand are available in the quarterly and annual publications, along with explanations of what constitutes an incident and a crime. The latest annual trends publication covers each year to 2019/20. The latest quarterly bulletin (published 26th November) covers the time period October 2018 to September 2020.

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

Request 3

The estimated number of Hate Crimes across the five Monitored Stands which have been prevented as a result of the recording of a hate incident.

Answer

The Freedom of Information Act requires PSNI to provide a response to a request for 'recorded' information which is held (s.1 FOIA). A question will not necessarily constitute a 'valid request'. Further information on what constitutes a valid request can be found on the Information Commissioner's Office website:

<https://ico.org.uk/media/for-organisations/documents/1164/recognising-a-request-made-under-the-foia.pdf>

The FOI Act therefore does not require PSNI to speculate or provide a response to questions which are not seeking recorded information. In this case PSNI does not hold information based on your request seeking measures of public confidence as we don't know what we have prevented.

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 Corporate Information Branch, 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 Corporate Information Branch, 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.psnj.police.uk

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