



FREEDOM OF INFORMATION REQUEST



Request Number: F-2023-00659

Keyword: Crime/Incident Statistics Hate Crime and Equality

Subject: Disability Hate Crime

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 does hold some information to which your request relates and this is being provided to you. We further consider the information you seek in Requests number 1, 2 and 3 is exempt by virtue of Section 21 of FOIA and 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.

Could you please supply me with the following information concerning disability hate crime, as outlined below.

Request 1

How many disability hate crimes have been recorded by your police force in 2017/18, 2018/19, 2019/2020, 2020/21, 2021/22, 2022/23.

Request 2

Regarding the yearly totals mentioned in question one, what was the total number of cases in which the victim was:

- a. Under 16
- b. 16-17
- c. 18-25
- d. 26-40
- e. 41-60
- f. Over 60

Request 3

How many of the recorded incidents of disability hate crimes in the yearly totals mentioned in question one concerned acts of violence against a person?

Answer to Requests 1 - 3

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (PSNI), when refusing to provide such information (because the information is exempt) to provide the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies.

The following exemption has been applied:

Section 21 - Information Reasonably Accessible by Other Means

PSNI can advise that the information requested above can be readily obtained and therefore Section 21 of the FOIA can be applied. The purpose of the Section 21 exemption is to ensure that there is no right of access to information via FOIA if it is available to the requester by another route.

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 Commissioner's Office website www.ico.org.uk.

The number of disability motivated hate crimes is published in our Quarterly and Annual Hate Crime bulletins, which is available on the PSNI website. Additionally, the spreadsheet accompanying the Annual Trends bulletin provides an age and offence classification break breakdown.

For your convenience we have provided the link below:

<https://www.psni.police.uk/about-us/our-publications-and-reports/official-statistics/hate-motivation-statistics>

Request 4

How many of the recorded incidents of disability hate crimes in the yearly totals mentioned in question one took place on line?

Request 5

If recorded, please state the total number of disability hate crime cases carried out in/around school property (please include all educational establishments from early years to FE colleges).

Request 6

Please state the total number of disability hate crime cases carried out in/around university property.

If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary.

Answer to Requests 4 – 6

The following table is based on all recorded offences with a disability hate motivation and which have been assigned a 'cyber' flag, for the period 1 April 2017 to 31 December 2022.

	2017/18	2018/19	2019/20	2020/21	2021/22	1 April - 31 December 2022
Disability hate crime with a 'Cyber' flag	3	4	8	14	11	18

The following table is based on all recorded offences with a disability hate motivation where the location was classified as 'education', broken down by the sub location, for the period 1 April 2017 to 31 December 2022.

	2017/18	2018/19	2019/20	2020/21	2021/22	1 April - 31 December 2022
School	2	-	2	3	2	4

College	-	-	1	-	-	-
University	-	-	-	-	-	-

Please note:

The information provided is based on data extracted from a live 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.

Notes in conjunction with the data provided.

What is a hate motivated incident or hate motivated crime as recorded by the police?

Hate crime is defined as any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic. PSNI also use the principles of this definition to record non-crime hate incidents (see 'Hate Incident or Hate Crime' below).

Hate Incident or Hate Crime?

Police recorded crime data is a victim oriented approach to crime recording. A crime will be recorded as having a hate motivation where it meets the relevant definition provided above. Not all hate motivated incidents will result in the recording of a crime, as what has occurred in the incident may not be of the level of severity that would result in a crime being recorded. Where crimes with a hate abuse motivation are recorded, they are classified according to the Home Office Counting Rules and form a subset of the overall police recorded crime statistics.

Further details of the background and recording practice in relation to police recorded crime statistics are available in the User Guide to Police Recorded Crime Statistics. An explanation of what constitutes an incident and a crime is provided in Section 2.1 of this guide, while reference to hate motivated incidents and crimes is available in Section 6. These recording practices, methods of counting outcomes and allocation of crime types apply equally to crimes with a hate motivation.

Definitions

Disability

Any disability including physical or sensory disability, learning disability, long-term illness and mental health.

The Perception Test

Evidence is not the test when reporting a hate incident; when an incident or crime has been reported to police by the victim or by any other person and they perceive it as being motivated by prejudice or hate, it will be recorded and investigated as a hate incident or crime. The perception of the victim or any other person is the defining factor in determining whether an incident is a hate incident, or in recognising the hostility element of a hate crime. Perception-based recording refers to the perception of the victim, or any other person. It would not be appropriate to record a crime or incident as a hate crime or hate incident if it was based on the perception of a person or group who had no knowledge of the victim, crime or the area, and who may be responding to media or internet stories or who are reporting for a political or similar motive.

The other person could, however, be one of a number of people, including: police officers or staff; witnesses; family members; civil society organisations who know details of the victim, the crime or hate crimes in the locality, such as a third-party reporting charity; a carer or other professional who supports the victim; someone who has knowledge of hate crime in the area – this could include many professionals and experts such as the manager of an education centre used by people with learning disabilities who regularly receives reports of abuse from students; a person from within the group targeted with the hostility, e.g., a Traveller who witnessed racist damage in a local park.

Online/Cyber Crime

Home Office Definition and guidance: Online crime (formerly cyber crime) is identified through the use of a 'flag' on the crime recording system. Its aim is to help provide a national and local picture of the extent to which the internet and digital communications technology are being used to commit crimes. An offence should be flagged where the reporting officer believes that on the balance of probability the offence was committed, in full or in part, through a computer, computer network or other computer-enabled device.

Below is an outline of the circumstances in which a crime should be flagged as 'online':

- a crime was committed online or through internet-based activities, such as: sending or receiving emails, use of social media or networking sites, use of internet forums or blogs, online auction or retail sites, communication via online video game networks or communications platforms; and
- a 'computer, computer network or other computer-enabled devices were used to commit a crime. This includes desktop computers or laptops in the home or in the workplace, smartphones, tablets and other telecommunications devices linked to computer networks, or any other identifiable computer system or network that produces, processes and transmits data.

In the following circumstances a crime should not be flagged as 'online':

- The crime has already been recorded by Action Fraud (i.e. in the case of fraud and computer misuse offences).
- The crime only involved a phone network to make phone calls or send/receive text messages, rather than an internet network. Some use of a computer network or internet technology is required.
- The computer was used to make or design fraudulent items such as fake gift or shopping vouchers.
- The offence involved theft of computers or other internet-enabled devices.
- The crime was committed using a machine but the intention was not to interact with the computer e.g. theft at an ATM or self-service tills.

The first complete financial year for which online crimes are available is 2014/15. As Action Fraud took over responsibility for the central recording of fraud and cyber crime previously recorded by PSNI from 1 April 2015, the figures provided here exclude Action Fraud.

Data quality: While crimes included within the police recorded crime statistics for Northern Ireland are individually checked for compliance with the Home Office Counting Rules, the identification of an online crime is derived from a motivation 'tick box' on the system used by PSNI to record crime. The motivation is identified and completed by a police officer or member of police staff for each such reported incident or crime. The correct application of an online motivation for all such incidents/crimes is not quality assured by the PSNI's Statistics Branch.

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 Corporate Information Manager, Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.police.uk.

If, following an Internal Review carried out by an independent decision maker, you remain unhappy about how your request has been handled you have the right to apply in writing to the Information Commissioner, under Section 50 of the Freedom of Information Act, at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There are a number of other platforms you can use to contact the ICO and these can be found on the ICO's website at the following link: [Make a complaint | ICO \(https://ico.org.uk/make-a-complaint/\)](https://ico.org.uk/make-a-complaint/).

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 their 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.

