



Our Ref: 000516/21

Your Ref:

Address Correspondence to: Information Management

Date 10 March 2021

Freedom of Information Act 2000

I write further to your request for information received 12/02/2021.

I note you seek access to the following information:

This Freedom of Information request sets out to discover how this guidance around non-crime hate incidents is being applied by police forces. Please could you respond to the following questions:

1) *Please provide full details of all non-crime hate incidents that were logged by your force in the month of September 2020. In each case, could you please provide me with the following information:*

- A) The exact nature of the incident that was recorded.*
- B) When and where the incident occurred (i.e the location such as a school, workplace, street, shop, park etcetera, or a specific social media platform/internet site).*
- C) The age and sex of the perpetrator.*
- D) How police became aware of the incident (i.e how was it reported to the force and by whom. For example, a school teacher, boss, work colleague).*
- E) Precisely what interactions did police have with the perpetrator, and when and where did those interactions take place? (i.e Were they arrested? Did police visit them at home or work, write to them, or telephone them.)*
- F) What words did the officer use in their report to record their rationale for determining that the incident as a non-crime hate incident? (i.e - what motivation did the officer believe the perpetrator had in making their hateful remarks?)*
- G) Were the perpetrators informed that a record would be kept of the non-crime hate incident, and how was this communicated to them?*

NOTE: In Question 1, I am content for details to be redacted so that the identity of the perpetrator and any victims are not disclosed, but I would like as much detail about the circumstances of the incident as possible please.

2) *For how long will the record of a non-crime hate incident remain on someone's criminal record?*

3) *Will the record of the non-crime hate incident be used in evidence of someone's bad character if they committed a crime or were suspected of a crime in the future?*

4) *How many non-crime hate incidents have been recorded by your force in 2020?*

5) *In relation to the non-crime hate incidents recorded in 2020 please can you provide a breakdown for how many of the incidents fell into each of the categories of:*

- A) *Race.*
- B) *Religion.*
- C) *Sexual orientation.*
- D) *Disability.*
- E) *Transgender identity.*

NOTE: If there are other categories used by your force, then please provide a breakdown for those also.

6) *In relation to the non-crime hate incidents recorded in 2020 please provide a breakdown for how many incidents were recorded where the motivation for hostility was considered to be the following:*

- A) *Ill-will*
- B) *Spite*
- C) *Contempt*
- D) *Prejudice*
- E) *Unfriendliness*
- F) *Antagonism*
- G) *Resentment*
- H) *Dislike*

NOTE: If there are other categories used by your force, then please provide a breakdown for those also.

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

The spreadsheet attached to the Email contains the information for Q1A-Q1D

Q2

These documents are readily available on the Internet. I have provided the link.

https://www.hampshire.police.uk/SysSiteAssets/media/downloads/thames-valley/npcc_retention_disposal_schedule.pdf

NPCC guidance

As per the attached NPCC National Guidance on the minimum standards for the Retention and Disposal of Police Records it is advised that;

All Anti-Social Behaviour Records are retained for a minimum of 6 years

MoPi guidance

<https://www.app.college.police.uk/app-content/information-management/management-of-police-information/retention-review-and-disposal-of-police-information/>

As per the link to the APP Management of Police information it is advised that;

MoPi group 3 All other offences - Retain for an initial six-year clear period, followed by subsequent five-year clear period reviews. Either review and risk assess after a six-year clear period or carry out time-based disposal depending on force policy. Lower risk of harm. Forces must balance the risk posed by this group with the burden of reviewing.

The deletion process is carried out by Lincolnshire Police on behalf of Leicestershire Police under an agreement.

Q3

Your question is asking about something that may or may not occur in the future. Section 84 of the Act provides guidance whereby "Information" is defined as 'information recorded in any form'. The Act therefore only extends to requests for recorded information. It does not require public authorities to answer questions generally; only if they already hold the answers in recorded form. The Act does not extend to requests for information about policies or their implementation, or the merits or demerits of any proposal or action. Therefore no information is held relative to Q3

Q4 & Q5

The numbers for the full year of 2020 are :

Racial	166
Religious/Faith	7
Sexual Orientation	24
Disability	21
Transgender	6
Other	6
TOTAL	216

N.B. These will not add to the total number as some incidents are targeted at more than one demographic.

Q6

No information held.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer
Leicestershire Police

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