



Our Ref: 000571/21

Your Ref:

Address Correspondence to: Information Management

Date 18 March 2021

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 18/02/2021 in which you requested the following information: -

1a) The number of hate crime reports received by your police force for the time period January 2011 to January 2021 broken down by month. If you hold the data in another form such as quarterly, please provide that. If you do not hold data for January 2021, please provide data up to the latest available time period.

1b) Please provide this monthly (or quarterly or equivalent) data broken down by type of hate crime such as racially aggravated/religious/transgender etc. Please also break it down by how it was reported e.g. 999, 101, front counter, officer on the street, third party, online reporting, and who reported it e.g. police officer, hate crime reporting centre, member of the public. It is my understanding that the data should be held in a retrievable format for the first two of these requests; if you do not hold retrievable data for the third request (who reported it) and to provide that would trigger the cost exemption, please ignore this third request.

1c) Please also provide this monthly (or quarterly or equivalent) data broken down by outcome. At the absolute minimum, please provide this broken down by i) reports that did not make it past the crime bureau stage, ii) reports filed pending further information, iii) reports that led to arrest, iv) reports that led to charge. I would expect to receive more detailed data however, with an outcome listed for every report.

2) Please provide us with the criteria the crime bureau (or similar) uses to determine whether a hate crime report should be allocated to an officer (ie the first step in beginning an investigation). If this takes the form of a document or flow chart or any other file, please provide the original material. If to do so is operationally sensitive, please provide a general overview of the criteria used and explain the reasons for doing so.

3) Please provide the number of hate crime reports that resulted in referral to the CPS. Again, please break this down by time period, type, how it was reported, and who reported it, assuming that all these things can be fulfilled without triggering the cost exemption. If you do not hold this data and to retrieve it would trigger the cost exemption, please disregard this request.

I can confirm, pursuant to s1(1)(a) of FOIA that this Force does hold the information you have requested.

Question 1

Please see the attachment to the Email

Question 2

“Our internal procedure states that **all** reports made to us that have a hate element (crime or non-crime incident) are to be passed for further investigation therefore the decision whether or not to do so is not one made by the recording officer but one that falls in line with our documented procedures.

Where it is allocated once passed on is a decision made by the triage supervisor on the day and based on the report this will go to either a neighbourhood officer, a response officer or a detective”.

Question 3

Section 17 of the Freedom of Information Act 2000 requires Leicestershire Police, 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 that would not otherwise be apparent) why the exemption applies.

The exemption(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

This information is not held in any easily retrievable electronic format. It would require a manual search. In order to retrieve the information you have requested would therefore be well in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer any of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to the 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.

Freedom of Information Officer

Leicestershire Police