

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

[www.wiltshire.police.uk](http://www.wiltshire.police.uk)[disclosure@wiltshire.pnn.police.uk](mailto:disclosure@wiltshire.pnn.police.uk)

XXXXXX – by E Mail

Date: 10<sup>th</sup> November 2023

Your ref: FOI

Our ref: FOI 2023 / 1082

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 9<sup>th</sup> November 2023 concerning Non-Crime Hate Incidents.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and – having consulted our Business Performance Team - I am not obliged to provide all the information you require.

**You wrote:**

I am writing to request the following information relating to non-crime hate incidents, specifically

- The number of NCHIs reported, and the number recorded, since 3<sup>rd</sup> June 2023 to 3<sup>rd</sup> November 2023
- A copy of the log, or record, kept by your force of all non-crime hate incidents reported since 3<sup>rd</sup> June 2023 to 3<sup>rd</sup> November 2023
  - This should include a summary of the report, the hate strand, and if possible, where/when the incident occurred. Please redact any personal data from the records.

**Our response:**

**Certain information you are requesting is exempt from disclosure by virtue of Section 40(2) – Personal Information – namely the unique reference code of incidents, the exact date and location and details / narrative of the incident concerned.**

**Section 40 is an absolute exemption and there is no requirement for Wiltshire Police to**



INVESTOR IN PEOPLE

articulate the harm or examine the public interest in disclosure, however in this instance, I am happy to provide some clarity to you :-

- The information you have requested – in the format you have requested it – cannot be supplied in full as that information together with information that may already be out there in the public domain could lead to individual persons being identified.
- Our incident reference number is unique, it identifies a specific incident within our crime and incident recording system(s) and essentially belongs to the victim of a given incident.
- Summary descriptions of the incidents and indeed where they happened and when cannot be supplied for a number of reasons. Not only could the disclosure of this information potentially lead to the identification of individuals - when allied to information that may possibly already be in the public domain - but it would also clarify to the perpetrator whether or not their actions have resulted in a report being submitted to Wiltshire Police by the victim. This could potentially lead to reprisals for those victims who did report and provide evidence to the perpetrator where reports were not made that their actions were in some way accepted by the victims – in either instance this could potentially lead to more crimes or incidents being reported. It is Wiltshire Police's responsibility to uphold the law and keep people safe – we would not make any disclosure that could jeopardise either.
- Anyone making a report to Wiltshire Police does so with the rightful expectation that the information they provide is handled in a confidential manner and any unnecessary disclosure of that information would be a data breach of at least 3 of the key Data Protection Principles that state information should be :-
  - a) Handled in a Fair, Lawful and Transparant manner
  - b) Processed for a Specifed and Lawful Purpose
  - c) Handled in an Adequate and Relevant way that is limited to the purpose

However, under our Section 16 obligation to be as helpful as possible to an applicant I am able to provide you with the following aggregated information thay may be of assistance to you :-

Between June 3<sup>rd</sup> 2023 and November 3<sup>rd</sup> 2023, Wiltshire Police have received and recorded 96 Non-Crime Hate Incidents.

These can be broken down by area as follows :-

| Location         | Number |
|------------------|--------|
| AMESBURY         | 3      |
| BRADFORD ON AVON | 1      |
| CALNE            | 1      |
| CHIPPENHAM       | 10     |
| CRICKLADE        | 2      |
| DEVIZES          | 5      |
| ERLESTOKE        | 1      |

|                         |           |
|-------------------------|-----------|
| HOLT                    | 1         |
| HUNGERFORD              | 1         |
| MALMESBURY              | 2         |
| MARLBOROUGH             | 1         |
| MELKSHAM                | 1         |
| OFA (Out of Force Area) | 1         |
| PEWSEY                  | 1         |
| POULSHOT                | 2         |
| SALISBURY               | 13        |
| SHERRINGTON             | 1         |
| SWINDON                 | 32        |
| TIDWORTH                | 2         |
| TROWBRIDGE              | 6         |
| WARMINSTER              | 4         |
| WEST ASHTON             | 1         |
| WESTBURY                | 4         |
| <b>Total</b>            | <b>96</b> |

And by Hate Crime strand as follows :-

| <b>NICL Qualifier</b>                                  | <b>Number</b> |
|--------------------------------------------------------|---------------|
| Prejudice - Disability                                 | 6             |
| Prejudice - Disability,Prejudice - Racial              | 1             |
| Prejudice - Racial                                     | 51            |
| Prejudice - Racial,Prejudice - Religion                | 2             |
| Prejudice - Racial,Prejudice - Sexual orientation      | 2             |
| Prejudice - Religion                                   | 6             |
| Prejudice - Sexual orientation                         | 21            |
| Prejudice - Sexual orientation,Prejudice - Transgender | 3             |
| Prejudice - Transgender                                | 4             |
| <b>Total</b>                                           | <b>96</b>     |

#### Please Note

All Hate Crimes and Non-Crime Hate Incidents recorded by all Forces are allocated a NICL (National Incident Category List) Qualifier Code – this is in accordance with the current agreed Crime Recording Standards.

Any Crime or Non-Crime Incident can be assigned more than NICL qualifier if it is deemed to fit into more than one specific category (as shown in the table above).

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire 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 applicable to the information requested is:

**Section 40: Exemption where cost of compliance exceeds appropriate limit**

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Nick Penny  
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



**Force Disclosure Unit**

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN  
Telephone 101 ext 62005

## **Freedom of Information Request Appeals Procedure**

### **1. Who Can Ask for a Review**

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

### **2. How to Request a Review**

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit  
Wiltshire Police Headquarters,  
London Road, Devizes,  
Wiltshire,  
SN10 2DN

Email at [disclosure@wiltshire.pnn.police.uk](mailto:disclosure@wiltshire.pnn.police.uk).

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

### **3. Review Procedure**

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

### **4. Conclusion of the Appeal**

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 01625 545 700  
Fax: 01625 524 510  
Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)