

Our Ref: 006473/16



**Freedom of Information Section**  
Nottinghamshire Police HQ  
Sherwood Lodge, Arnold  
Nottingham NG5 8PP

**Tel:** 101  
**Ext** 800 2507  
**Fax:** 0115 967 2896

18 January 2017

Dear

**Request under the Freedom of Information Act 2000 (FOIA)**

I write in connection with your request for information, which was received by Nottinghamshire Police on 30/08/2016.

Following receipt of your request a review was made of the response which you received in relation to reference 5437/16.

**RESPONSE**

**Please pass this on to the person who conducts Freedom of Information reviews.**

**I am writing to request an internal review of Nottinghamshire Police's handling of my FOI request 'Discrimination'.**

**I asked a specific question, who introduced this act/statute, it was not an opinion.....**

**Secondly you are meant to be police constabulary and such you should not be entwined with cultural ways of life and as such i asked you why are you not treating people equally?**

**Thirdly i asked why are you involved with social engineering, it was not an opinion.....**

**Then i asked what happened to common sense policing, it was not an opinion.....**



**The statute/act is dislike of, contempt for, or ingrained prejudice against men, so how can this be equal legislation? i was not asking for an opinion.....**

The Freedom of Information Act 2000 provides public access to information held by public authorities.

### **Section1**

#### **General right of access to information held by public authorities.**

(1) Any person making a request for information to a public authority is entitled—

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.

The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

The Act does not cover opinions or explanations of hypothetical or perceived scenarios.

In your initial request the first question asked:

#### **1) Can you explain the people involved who introduced this statute/act?**

As you were asking for an explanation rather than recorded information, this was not deemed as a valid request under that Act. Under the Act we are not obliged to create data. The ICO guidance available through the link below, states:

*“The Act does not cover information that is in someone’s head. If a member of the public asks for information, you only have to provide information you already have in recorded form. You do not have to create new information...”*

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>

Upon review I still believe that this question is not valid under the Act in line with the above guidance. However, as you have amended the question above, I can state under Section 1(1) of the FOI Act 2000 that we do hold some information. Please see below.

#### **Who introduced this act/statute**

Nottinghamshire Police have not introduced an Act or Statute; we have amended our Hate Crime Procedure. The decision to make this amendment

was made by the Chief Constable Sue Fish but with other agency and community feedback.

With regard to the remainder of your request upon review I concur with the initial decision that it is not valid under the Act, as it does not seek access to recorded information held by Nottinghamshire Police but rather seeks opinions or explanations of hypothetical or perceived scenarios.

The questions you have posed appear to be based on your perception of the Police and appear accusatory in tone.

**“The statute/act is dislike of, contempt for, or ingrained prejudice against men...”**

You are directly asking for opinion rather than information which we would realistically have recorded. I have formed this opinion from your use of words and phrases such as:

“Why are you not...”

“What benefit has...”

“What has happened to common sense policing?”

I believe the way in which you have rephrased your questions above in your request for an internal review further show that the request was based on your own personal opinion for which you were seeking validation. For example:

“...you are meant to be...”

“...you should not be...”

As it is not the purpose of the Act to comment upon opinion, this request was found not to be valid and, having conducted this review, I have reached the same conclusion.

**ICO guidance states:**

*“Your request can be in the form of a question, rather than a request for specific documents, but the authority does not have to answer your question if this would mean creating new information or giving an opinion or judgment that is not already recorded.”*

Should you wish to re-word and resubmit your request, into a valid format, based upon the response to the question regarding the introduction of the amendment to our Hate Crime Procedure then we would be happy to conduct new searches for recorded information held by Nottinghamshire Police.

**Complaints Rights**

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

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I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail [freedomofinformation@Nottinghamshire.pnn.police.uk](mailto:freedomofinformation@Nottinghamshire.pnn.police.uk) quoting the above reference number.

Yours sincerely

**Disclosure Officer**

### **What if I'm still not satisfied?**

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: [casework@ico.org.uk](mailto:casework@ico.org.uk)