

[REDACTED]

FOI 346/24-25

8 November 2024

[REDACTED]

I refer to your email dated 11 October 2024 in which you requested information in relation to cases involving hate crime. Your request has been dealt with under the terms of the Freedom of Information Act 2000.

### **Freedom of Information Act 2000**

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. First, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You had asked the following:

1. *"I would like to see the figures for defendants convicted of an offence aggravated by hostility who received an enhanced sentence, with a breakdown by aggravation classification (i.e. how many enhanced sentences were issued for each aggravation type).*
2. *If this would be possible, could you please provide these figures for both defendants dealt with in the Crown courts and defendants dealt with in the Magistrates and Youth courts, along with the comparable numbers for 2022/23?"*

Please be advised that, based on information recorded by the Northern Ireland Courts and Tribunals Service (NICTS), two of the eight defendants convicted in the Crown Court in 2023/24 received an enhanced sentence due to the aggravating feature of the offence(s) involved. In both cases the aggravating factor was Sexual Orientation.

For 2022/23, none of the twenty-four defendants convicted in the Crown Court received an enhanced sentence.

The equivalent data for the Magistrates' and Youth Courts are set out in the table below. Forty of the 152 defendants dealt with in 2022/23 and 42 of the 141 dealt with in 2023/24 received an enhanced sentence - the breakdown by aggravating factor is as follows:

Aggravating Factor	Number of Defendants Receiving an Enhanced Sentence	
	2022/23	2023/24
Race	22	28
Religion	11	10
Sexual Orientation	6	3
Multiple Motivations	1	1
<b>Total</b>	<b>40</b>	<b>42</b>

If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible or in any case within two months of the date of this response and you can do so by writing to the Head of Policy and Information, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, BELFAST, BT1 3JR or alternatively by sending an e-mail to [info@ppsni.gov.uk](mailto:info@ppsni.gov.uk). You should state the grounds on which you are requesting the review.

Alternatively, you may wish to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

Yours sincerely,

**Information Management Team**  
**Public Prosecution Service**