| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0950  Responded to: 06 June 2024 |
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Your recent request for information is replicated below, together with our response.

**Please can you tell me about the complaints you received when the Act came into force on 1st April.**

**Preferably for the first day (1st April) or otherwise for your most convenient accounting period:**

**In respect of each of the protected characteristics**

1. **How many complaints did you receive for aggravated crimes?**

Police Scotland recorded 37 Hate Crimes on 1st April 2024.

Table 1 is a breakdown of the Hate Crimes recorded.

Please note the caveats at the bottom of the table.

*Table 1 – Recorded Hate Crimes – 1st April 2024*

|  |  |
| --- | --- |
| **Recorded Hate Crimes** | **Total** |
| Common Assault (with injury) | 1 |
| Group 2 – Sexual Crimes | 1 |
| Vandalism | 2 |
| Breach of the peace | 2 |
| Racially aggravated conduct | 6 |
| Threatening or abusive behaviour | 17 |
| Threatening or abusive behaviour of a retail worker | 1 |
| General post office telecommunications offences | 7 |
| **Total** | **37** |

*All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 15th May 2024.*

*1. Please note - the data was extracted on 15th May 2024, this may differ from the extraction date of previously published data.*

*2. The data from the 1st April 2024 has been extracted from the National Crime Unifi database.*

*3. Please note, the data from National Unifi Crime has been extracted based on crimes/offences which include at least one of the hate aggravators and/or are one of the following offences:*

*Racially aggravated harassment*

*Racially aggravated conduct*

*Stirring up hatred: Racial*

*Stirring up hatred: Other Group*

*Race Relations Legislation (Public Order Act)*

*4. Please note, due to the different sources of data being used, and the different methodology/counting rules, comparison of recorded hates crimes from the 1st April 2024 with recorded hate crimes prior to the 1st April 2024 would not be advised. Any comparison of the two datasets should be carried out with caution.*

Table 2 displays the Hate Crime Aggravators associated to the recorded Hate Crimes in Table 1. Please note, as there can be multiple aggravators attached to a hate crime, the total number of aggravators will not reflect the number of unique hate crimes.

*Table 2 – Recorded Hate Crime Aggravators – 1st April 2024*

|  |  |
| --- | --- |
| **Aggravator** | **Total** |
| Disability | 8 |
| Race | 22 |
| Religion | 2 |
| Sexual Orientation | 5 |
| Transgender | 1 |
| **Total** | **38** |

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*1. Please note - the data was extracted on 15th May 2024, this may differ from the extraction date of previously published data.*

*2. The data from the 1st April 2024 has been extracted from the National Crime Unifi database.*

*3. Please note, the data from National Unifi Crime has been extracted based on the hate crime aggravators. Not all recorded hate crimes include an aggravator within National Unifi Crime.*

*4. Please note, the table displays a count of hate aggravators. This is not a count of unique hate crimes. Multiple aggravators can be added to the one hate crime.*

*5. Please note, due to the different sources of data being used, and the different methodology/counting rules, comparison of recorded hates crimes from the 1st April 2024 with recorded hate crimes prior to the 1st April 2024 would not be advised. Any comparison of the two datasets should be carried out with caution.*

*6. As there can be multiple aggravators attached to a hate crime, the total number of aggravators will not reflect the number of unique hate crimes.*

**a. How many of those complaints were dismissed without action?**

**b. How many were deemed worth of investigation?**

Police Scotland take hate crime very seriously and consider each report on its own merit, taking into account unique and varying circumstances. Each report will be investigated to its full capacity, as such action is taken on each report made to the organisation.

**c. How many led to a police record for the accused?**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

By way of explanation, the role of the police in Scotland, in relation to crimes and offences, is to investigate the circumstances and where sufficient evidence exists to then report the matter to the relevant Procurator Fiscal. It is a matter for the Procurator Fiscal to decide on and to progress any prosecution through the courts. The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore, the Service do not hold the information requested.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscals Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

A request can also be submitted to COPFS via email using the following address [foi@copfs.gsi.gov.uk](mailto:foi@copfs.gsi.gov.uk)

**2. How many complaints did you receive for stirring up hatred?**

**a. How many of those complaints were dismissed without action?**

**b. How many were deemed worth of investigation?**

**c. How many led to a police record for the accused?**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

By way of explanation, there were no Stirring Up Hatred complaints made on 1st April 2024 when the Act came into force.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.