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Our Ref: IM-FOI-2022-1200
Date: 21 June 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Between 12/10/2021 - 30/5/2022

- A) All incidences at this organisation of anti French racism.**
- B) All incidences at this organisation of anti Catholic sectarianism.**
- C) All incidences at this organisation of anti Learning disabled ablism.**

Section 17 of the Act applies and I can advise you that the information sought in these question is *not held* by Police Scotland.

To explain, Police Scotland defines a **hate crime** as, '*any crime which is perceived by the victim or any other person, to be motivated (wholly or partly) by malice and ill-will towards a social group.*'

There are currently five social groups protected under hate crime legislation:

- Disability or presumed disability (any disability including physical disability, learning disability and mental health).
- Race or presumed race (any racial group, ethnic background or national origin, including countries within the UK and Gypsy / Traveller groups).
- Religion or presumed religion (any religious group, including those who have no faith).
- Sexual orientation or presumed sexual orientation (sexual orientation towards persons of the same sex or of the opposite sex or towards both).
- Transgender identity or presumed transgender identity (defined as transvestism, transsexualisms, intersexuality or having by virtue of the Gender Recognition Act 2004 (c7), changed gender and any other gender identity that is not standard male or female gender identity).
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Hate crimes are recorded in accordance with these five categories and they are not thereafter sub-categorised.

You will note that nationality (ie French) is not currently a protected group.

Religion is, but not sectarianism and not anti-Catholicism specifically.

Disability is, but as a general group - not thereafter split for example in terms of whether the disability is a learning or physical disability.

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- D) All initiatives at this organisation to promote appreciation of the French identity.**
- E) All initiatives at this organisation to promote appreciation of the Catholic faith.**
- F) All initiatives at this organisation to promote appreciation of Learning disability.**

In its current format, given the scale of the organisation and the vast variety of circumstances in which we engage with our communities, it is assessed that the research involved in attempting to answer your request is such that I estimate that it would cost well in excess of the current £600 cost threshold to complete.

I therefore regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

You may wish to consider whether your request could be meaningfully refined and less subjectively termed - for example focusing on anti-hate crime initiatives specifically.

- G) All receptions at this organisation of French people.**
- H) All receptions at this organisation of Catholic people.**
- I) All receptions at this organisation of Learning disabled people.**

Police Scotland would not normally require that individuals engaging with the service in this way should provide their nationality, religion and or details of any disability.

Notwithstanding, given the scale of the organisation and the vast variety of circumstances in which we engage with our communities, it is assessed that the research involved in attempting to answer your request is such that I estimate that it would cost well in excess of the current £600 cost threshold to complete.

I therefore regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

You may wish to consider whether your request could be meaningfully refined - for example to a specific department or group of people - our Hate Crime team and/ or Force Executive etc.

However, I would reiterate that the circumstances in which Police Scotland would gather personal data of the type requested are likely to be limited.

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Should you require any further assistance please contact Information Management quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalrnarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.