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Our Ref: IM-FOI-2022-1191  
Date: 19 July 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.

### **1. Is hate crime included in the police service's current policing plan? (if yes can you send us a pdf copy of the policing plan?)**

Police Scotland takes hate crime very seriously. Targeting anyone because of who they are is deplorable. Hate crime should have no place in society and will not be tolerated. Everyone has a right to live safely as their true and authentic selves, without fear of prejudice.

Hate crimes can include but are not limited to:

- assault
- verbal abuse
- damage to property
- threatening behaviour
- robbery
- harassment
- online abuse

Being targeted for your disability, race, religion, sexual orientation or transgender identity could be considered a hate crime. You can also be targeted for more than one characteristic or perceived characteristic.

The Policing Plan can be viewed at the link below.

[https://www.scotland.police.uk/spa-media/uaxfwipg/annual\\_police\\_plan\\_22\\_23\\_7543\\_22\\_ar\\_final-v13.pdf](https://www.scotland.police.uk/spa-media/uaxfwipg/annual_police_plan_22_23_7543_22_ar_final-v13.pdf)

### **2. Does the police service have a separate hate crime plan/strategy? (if yes can you send us a pdf copy of the hate crime plan/strategy?)**

The HMICS Thematic Inspection of hate crime was published in June 2021 and contained a number of recommendations. Police Scotland considered the report and resultant

**OFFICIAL**

## OFFICIAL

recommendations and developed the attached Improvement Plan which provides detail of how Police Scotland plans to achieve and deliver the recommendations.

<https://www.spa.police.uk/spa-media/v5rpdilq/item-2-3-hate-crime-update-and-improvement-plan.pdf>

Additionally, Police Scotland uses the following documents to support the policing plan with regards to tackling Hate Crime and ensuring consistency throughout our approach.

Please find the link below to Police Scotland's Hate Crime National Guidance Document. Selecting Hate Crime National Guidance under "H".

<https://www.scotland.police.uk/access-to-information/policies-and-procedures/guidance-documents/guidance-documents-g-i/>

Further, please see the attached document providing a copy of Police Scotland's Hate Crime Toolkit.

In regards to the Hate Crime Toolkit I must advise that it has been necessary to withhold some of the information requested, therefore, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

- (a) states that it holds the information,
- (b) states that it is claiming an exemption,
- (c) specifies the exemption in question and
- (d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information you have requested and the exemption that I consider to be applicable is set out at:

### **Section 30 (c) - Prejudice to the Effective Conduct of Public Affairs.**

Where necessary some internal names / telephone numbers and email addresses have been redacted. To release these details publicly through FOI legislation could negatively impact on the operational effectiveness of various departments and external partner agencies. While it is acknowledged that the disclosure of this information would support transparency and better inform the public as to how the Service conducts its business, there are already established routes for the public to make contact with the police and the disclosure of these additional details would not support the effective conduct of public affairs. As a result, section 30(c) of the Freedom of Information (Scotland) Act 2002 is engaged.

### **3. Does the police service have a designated hate crime lead? (if yes – can you provide contact details (name and email) so we can contact them.**

The Hate Crime lead for Police Scotland is Assistant Chief Constable Gary Ritchie, his area of responsibility includes the Partnership Prevention and Community Wellbeing team who can be contacted via email at [PPCWDiversityUnit@scotland.police.uk](mailto:PPCWDiversityUnit@scotland.police.uk)

## OFFICIAL

### **4. Does the police service facilitate or take part in any hate crime forums? (If yes – can you list the names of the hate crime forums that the police service facilitates or takes part in, at local, regional and national levels)**

In response to your request, I 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 you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

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.

By way of explanation, there is no central record of all policing partners.

Police Scotland interacts with many partners at all levels, in order to advise specifically which hate crime forums have been interacted with an audit of all officer notebooks would need to be undertaken. Currently, there are 16,805 police officers. To verify entries within each notebook would greatly exceed the time threshold set out within the Act.

Police Scotland has assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

### **5. Does the police service have a designated hate crime information page on its website? (if yes – please can you provide the URL link?)**

In response to this question please see the link below.

<https://www.scotland.police.uk/advice-and-information/hate-crime/>

### **6. Does the police service have access to hate crime resources? (if yes – please can you send us pdf copies of them?)**

In response to this question please see the linked and attached documents within the response to question 2.

### **7. Does the police service refer victims of hate crime to independent advice and support services as noted below?**

- **Crimestoppers**
- **Stop Hate UK**
- **Victim Support**
- **Victim Support Northern Ireland**
- **The Community Security Trust (National Organisation for Jewish victims)**
- **TELL MAMA (National Organisation for Muslim Victims)**
- **The Monitoring Group**
- **GATE Herts (A national reporting service)**

## OFFICIAL

- Galop (National organisation supporting LGBT+ victims)
- East European Resource Centre (EERC)
- other – can you provide a list of independent advice and support services, the police service refers to.

In response to this question I can advise that Police Scotland can refer victims of any crime to Victim Support.

This link below provides a copy of Police Scotland's Victim and Witness National Guidance.

<https://www.scotland.police.uk/spa-media/tkab5eoq/victim-and-witness-care-national-guidance-v1-00-publication-scheme.pdf>

Additionally the link below provides information regarding Victim Support Services.

<https://www.scotland.police.uk/contact-us/victim-support-services>

With respect to other agencies who can assist members of the public please see the link below to Police Scotland's website.

<https://www.scotland.police.uk/contact-us/partners/>

### **8. Is the police service planning to participate in National Hate Crime Awareness Week 2022 (8-16 October 2022)? (if yes – can you tell us what the police service is planning to do.)**

Police Scotland in partnership with the Scottish Government and Safer Scotland plans to participate in National Hate Crime Awareness week by using our social media channels to interact with the public, directing people to the Reporting Hate Crime webpage on the Police Scotland website.

Additionally, Police Scotland launched the National Hate Crime campaign in March, which can be accessed via the link below.

[www.scotland.police.uk/what-s-happening/campaigns/2022/hate-crime/](http://www.scotland.police.uk/what-s-happening/campaigns/2022/hate-crime/)

### **9. Has the police service participated in previous National Hate Crime Awareness weeks? (if yes – please advise years 2012 – 2021 that the police service has taken part in the national week)**

With reference to the year 2012, I can advise that in terms of Section 17 of the Act, the information you seek is not held by Police Scotland.

By way of explanation I can advise that Police Scotland came into operation in the year 2013. Information regarding participation in National Hate Crime Awareness Week would have been recorded on legacy systems which are now no longer operational and as such no longer held.

## OFFICIAL

For the years 2013 to 2021 inclusive I can advise that Police Scotland has taken part in National Hate Crime Awareness Week by utilising our social media channels to interact with the public.

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.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, 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](mailto: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.