| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0536  Responded to: 23 February 2024 |
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Your recent request for information is replicated below, together with our response.

**What is the current progress with the probe into alleged hate crime as described here:**[**https://news.sky.com/story/scottish-politicians-and-jk-rowling-voice-anger-over-decapitate-terfs-sign-at-pro-trans-rally-in-glasgow-12793544**](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fnews.sky.com%2Fstory%2Fscottish-politicians-and-jk-rowling-voice-anger-over-decapitate-terfs-sign-at-pro-trans-rally-in-glasgow-12793544&data=05%7C02%7Cfoi%40scotland.police.uk%7Cdadc96eb264d46a78dab08dc32b328b7%7C6795c5d3c94b497a865c4c343e4cf141%7C0%7C0%7C638440992260963161%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=x3CFvHd%2B5%2FLF5Bcq4sp6Wub4wDSFdeQkUybtTKu3pPs%3D&reserved=0)

**Has anyone ever been arrested or charged with this crime or even questioned under caution?**

The information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the following exemptions apply:

Section 34(1)(b)

Information is exempt information if it has at any time been held by a Scottish public authority for the purposes of an investigation, conducted by the authority, which in the circumstances may lead to a decision by the authority to make a report to the procurator fiscal to enable it to be determined whether criminal proceedings should be instituted.

Section 35(1)(a)&(b)

Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice substantially the prevention or detection of crime and/ or the apprehension or prosecution of offenders.

Whilst we accept that there is a public interest argument in favour of better informing the public as to high profile incidents, there can be no parallel interest in disclosing information held for the purposes of police investigations and any proceedings that may result from those investigations.

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.