| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1019  Responded to: 01 July 2024 |
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Your recent request for information is replicated below, together with our response.

## How many non-criminal hate incidents have been recorded in 2022, 2023 and 2024, and could you break this down per month?

In response to your question, please see the table below.

Please note the caveats at the bottom of the table.

Recorded Non-Crime Hate Incidents, Police Scotland - 1 January 2022 - 31 March 2024

| **Year** | **Month** | **Recorded Non-Crime Hate Incidents** |
| --- | --- | --- |
| 2022 | January | 60 |
| February | 60 |
| March | 99 |
| April | 74 |
| May | 112 |
| June | 106 |
| July | 110 |
| August | 100 |
| September | 103 |
| October | 94 |
| November | 86 |
| December | 73 |
| 2023 | January | 80 |
| February | 94 |
| March | 114 |
| April | 104 |
| May | 128 |
| June | 123 |
| July | 87 |
| August | 94 |
| September | 107 |
| October | 128 |
| November | 105 |
| December | 131 |
| 2024 | January | 85 |
| February | 109 |
| March | 133 |
| **Total** |  | **2699** |

Data are provisional and should be treated as management information.   
Data was extracted from Police Scotland systems and are correct as of 23 May 2024.   
All records relating to Non-Crime Hate Incidents have been extracted from the Interim Vulnerable Persons Database (iVPD).  
Non-Crime Hate Incidents are extracted from iVPD where ‘Crime Occurred’ equals ‘No’.  
Please note, the data is extracted using the ‘incident created’.  
Please note, each record will need to be read to confirm the circumstances.

## How many complaints made under the hate crime law are being investigated as wasting police time?

In terms of section 17 of the Act, I can confirm that the information you have requested is not held by Police Scotland.

By way of explanation, Police Scotland takes hate crime very seriously.

Officers do not investigate any hate crime with the preconceived notion that a victim or witness is wasting police time. Throughout the course of the investigation, it may be determined that no crime was committed.

## How many cops are now in a special hate crime division, if this exists?

In terms of section 17 of the Act, I can confirm that the information you have requested is not held by Police Scotland. Police Scotland does not have a hate crime division.

## How much money has been spent by Police Scotland on overtime for police officers in control rooms dealing with hate crime complaints, and have extra officers been drafted in?

In terms of section 17 of the Act, I can confirm that the information you have requested is not held by Police Scotland.

By way of explanation, no overtime has been utilised up to the end of April 2024 by control room officers in relation to Hate Crime complaints.

## How many requests have been made to police to expunge non-hate crime incidents from records and are they used to locate "spikes of hate crime?"

I can advise that Police Scotland’s Information Rights Request database was searched for any request which noted “hate” however no relevant records were returned.

As such and in terms of section 17 of the Act, I can confirm that the information you have requested is not held by Police Scotland.

With respect to the second part of your question I can advise that Police Scotland do not use Information Rights Requests to identify increases in criminal activity.

## 6. Could you supply the guidance on what constitutes a vexatious complaint under the hate crime law?

With respect to offences committed under the Hate Crime and Public Order (Scotland) Act 2012, each complaint is assessed on its own merits, circumstances, and context.

Any investigation or actions taken, or not taken, will be justified, proportionate and as necessary. The Hate Crime and Public Order Act (Scotland) Act 2021 does not cover vexatious complaints.

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.