| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1152  Responded to: 06 June 2024 |
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Your recent request for information is replicated below, together with our response.

**Please disclose all information held by the police between 23/04/2021 - 23/04/2024 regarding the new protected characteristic of age as described within and in relation to the Hate Crime & Public Order (Scotland) Act of 2021 for courting, married, or mating couples of a legal striking age difference in Scotland. Particularly any information held by the police guiding them or authorising them to disrupt, arrest, and charge those who would stir up ageist hatred, threaten acts of ageist hatred or commit criminal acts of ageist hatred against one or both partners for dating each other, being married to each other or for having consensual sexual intercourse with each other within the law of Scotland despite their striking but legal age disparity. Regardless of sexuality.**

**So for a first example, a couple with one female partner being 16 and one male partner being 61 what provisions or recorded guidance or information do the police have within the dates given in relation to the Hate Crime & Public Order (Scotland) Act of 2021 to protect both partners from the stirring up of ageist hatred towards them individually or together, from ageist threats being made against them individually or together and from ageist criminal acts being committed towards them individually or together primarily for them consensually and legally dating each other, consensually and legally being married to each other and for having legal and consensual sexual intercourse with each other. Regardless of sexuality.**

**For a second example, a couple with one partner of any gender being 24 and the other being 42 and any gender, what provisions or recorded guidance do the police have within the dates given in relation to the Hate Crime & Public Order (Scotland) Act of 2021 to protect both partners from the stirring up of ageist hatred towards them individually or together, from ageist threats being made against them individually or together and from ageist criminal acts being committed towards them individually or together primarily for them consensually and legally dating each other, consensually and legally being married to each other and for having legal and consensual sexual intercourse with each other. Regardless of sexuality.**

**For a third and final example, a couple with one male partner being 18 and the other female being 81 what provisions or recorded guidance do the police have within the dates given in relation to the Hate Crime & Public Order (Scotland) Act of 2021 to protect both partners from the stirring up of ageist hatred towards them individually or together, from ageist threats being made against them individually or together and from ageist criminal acts being committed towards them individually or together primarily for them consensually and legally dating each other, consensually and legally being married to each other or for having legal and consensual sexual intercourse with each other. Regardless of sexuality.**

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

To explain, we have no information that exactly aligns to the detailed scenario set out in your request.

To be of assistance, you may find the following information of interest:

[Hate Crime - Police Scotland](https://www.scotland.police.uk/advice-and-information/hate-crime/)

[Hate crime data - Police Scotland](https://www.scotland.police.uk/advice-and-information/hate-crime/hate-crime-data/)

[Interim guidance published for officers on the recording of Non-Crime Hate Incidents - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2024/may/interim-guidance-responding-to-hate/)

[Scottish crime recording standard: crime recording and counting rules - gov.scot (www.gov.scot)](https://www.gov.scot/publications/scottish-crime-recording-standard-crime-recording-counting-rules/)

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.