

Our Ref: IM-FOI-2022-1334
Date: 4th August 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. How many disability hate crimes have been recorded by your police force for the last two financial years – 2020/21 and 2021/22?

In response to this question please see the tables below. The tables provide recorded hate crimes with a disability aggravator and detected crimes with a disability aggravator for the time period requested. For example a crime may have been reported and recorded in March 2021 but detected in April 2022.

Please note the caveats recorded below.

Recorded Disability Hate Crimes, Police Scotland ¹		
Period: 1st April 2020 - 31st March 2022 (Financial Years)		
Aggravator	2021/21	2021/22
Disability	435	550
All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 22nd June 2022.		
1. The data was extracted using the incident's raised date and extracted from iVPD by selecting hate crimes with the disability aggravator. Please note, other aggravators may be attributed to the same recorded hate crime.		
2. As there can be multiple aggravators attached to a hate crime, the total number of aggravators will not reflect the number of unique hate crimes.		
Police Scotland does not retain any information for statistical purposes once a record has been weeded from iVPD. When a record is weeded, it is removed from the system, and there is no retention of data outside the weeding and retention policy. Please note, the weeding and retention policy states that if a person is recorded as "no concern / not applicable" then this will only be retained for 6 months.		
Please note that these data are collated from the Police Scotland iVPD system, which has an automated weeding and retention policy built on to it. A copy of the retention policy is available on the Police Scotland internet site (https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/june/21-1479-sop-records-retention/).		

Detected Disability Hate Crimes, Police Scotland ¹		
Period: 1st April 2020 - 31st March 2022 (Financial Years)		
Aggravator	2021/21	2021/22
Disability	298	406

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All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 22nd June 2022.
1. The data was extracted using the detected date and extracted from iVPD by selecting hate crimes with the disability aggravator. Please note, other aggravators may be attributed to the same detected hate crime.
2. As there can be multiple aggravators attached to a hate crime, the total number of aggravators will not reflect the number of unique hate crimes.
Police Scotland does not retain any information for statistical purposes once a record has been weeded from iVPD. When a record is weeded, it is removed from the system, and there is no retention of data outside the weeding and retention policy. Please note, the weeding and retention policy states that if a person is recorded as "no concern / not applicable" then this will only be retained for 6 months.
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2. How many disability hate crimes were committed by repeat offenders (of a previous disability hate crime) in the last two financial years- 2020/21 and 2021/22?

In response to this question please see the table below. Please note the caveats recorded below.

Repeat Offenders Linked To Disability Hate Crime Incidents, Police Scotland ^{1,2,3,4,5}	
Period: 1st April 2020 - 31st March 2022 (Financial Years)	
	Period
Repeat Offenders Linked To Disability Hate Crime Incidents	34
All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 22nd June 2022.	
1. The data was extracted using the incident's raised date and extracted from iVPD by selecting hate crimes with the disability aggravator.	
2. Incident Nominal Perpetrators linked to Incidents (involving at least one Disability Hate Crime) were then identified.	
3. Nominal Perpetrators appearing more than once, and linked to Incidents (involving at least one Disability Hate Crime) were then identified, and the total count displayed within Table 2.	
4. Please note, the Incident Nominal Perpetrators were extracted between 1st April 2020 and 31st March 2020.	
5. Please note, each incident would need to be read to confirm the circumstances, and if the Perpetrators relates to a Disability Hate Crime.	
Police Scotland does not retain any information for statistical purposes once a record has been weeded from iVPD. When a record is weeded, it is removed from the system, and there is no retention of data outside the weeding and retention policy. Please note, the weeding and retention policy states that if a person is recorded as "no concern / not applicable" then this will only be retained for 6 months.	
Please note that these data are collated from the Police Scotland iVPD system, which has an automated weeding and retention policy built on to it. A copy of the retention policy is available on the Police Scotland internet site (https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/june/21-1479-sop-records-retention/).	

3. How many disability hate crimes during each financial year (2020/21 and 2021/22) concerned acts of violence against a person?

In response to this question please see the tables below. The tables provide recorded hate crimes with a disability aggravator and detected crimes with a disability aggravator for the time period requested. For example a crime may have been reported and recorded in March 2021 but detected in April 2022.

Please note the caveats recorded below.

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Recorded Group 1 and Common Assault Disability Hate Crimes, Police Scotland 1,2,3		
Period: 1st April 2020 - 31st March 2022 (Financial Years)		
Crime Bulletin Category	2020/21	2021/22
Serious Assault (incl. culpable & reckless conduct - causing injury)	3	2
Robbery and assault with intent to rob	3	3
Domestic Abuse Scotland Act (Total)	3	4
Common Assault	37	45
TOTAL	46	54
All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 2nd June 2022.		
1. The data was extracted using the incident's raised date and extracted from iVPD by selecting hate crimes with the disability aggravator.		
2. As there can be multiple aggravators attached to a hate crime, the total number of aggravators will not reflect the number of unique hate crimes.		
3. Disability Hate Crimes which have a Stats Class Code within Group 1 or Common Assault (604701) were then selected.		
Police Scotland does not retain any information for statistical purposes once a record has been weeded from iVPD. When a record is weeded, it is removed from the system, and there is no retention of data outside the weeding and retention policy. Please note, the weeding and retention policy states that if a person is		
Please note that these data are collated from the Police Scotland iVPD system, which has an automated weeding and retention policy built on to it. A copy of the retention policy is available on the Police Scotland internet site (https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/june/21-1479-sop-records-retention/).		

Detected Group 1 and Common Assault Disability Hate Crimes, Police Scotland 1,2,3		
Period: 1st April 2020 - 31st March 2022 (Financial Years)		
Crime Bulletin Category	2020/21	2021/22
Serious Assault (incl. culpable & reckless conduct - causing injury)	3	1
Robbery and assault with intent to rob	1	0
Domestic Abuse Scotland Act (Total)	1	4
Common Assault	21	27
TOTAL	26	32
All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 2nd June 2022.		
1. The data was extracted using the detected date and extracted from iVPD by selecting hate crimes with the disability aggravator.		
2. As there can be multiple aggravators attached to a hate crime, the total number of aggravators will not reflect the number of unique hate crimes.		
3. Disability Hate Crimes which have a Stats Class Code within Group 1 or Common Assault (604701) were then selected.		
Police Scotland does not retain any information for statistical purposes once a record has been weeded from iVPD. When a record is weeded, it is removed from the system, and there is no retention of data outside the weeding and retention policy. Please note, the weeding and retention policy states that if a person is recorded as "no concern / not applicable" then this will only be retained for 6 months.		
Please note that these data are collated from the Police Scotland iVPD system, which has an automated weeding and retention policy built on to it. A copy of the retention policy is available on the Police Scotland internet site (https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/june/21-1479-sop-records-retention/).		

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4. How many incidents of disability hate crime were recorded as taking place online in each financial year (2020/21 and 2021/22)?

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 mandatory recording system to easily identify that a crime has taken place online. Therefore, in order to determine how many offences did take place online the free text of all relevant crimes would need to be manually examined to establish how the offence was committed. As per the response to question 1, there are 985 recorded hate crimes with a disability aggravator for the time period requested. I estimate that it would take approximately 3 minutes to fully examine each individual record for the information required. This equates to an excess of 49 hours which exceed the cost threshold set out within the Act.

Should you wish to refine the time frame of your request to a single year it may be possible to provide you with further information.

Police Scotland have 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. How many of the recorded disability hate crimes in each financial year (2020/21 and 2021/22) resulted in a COPFS referral?

6. How many of the recorded online disability hate crimes in each financial year (2020/21 and 2021/22) resulted in a COPFS referral?

In response to questions 5 and 6, I can advise that 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. As such I can advise that once a hate crime has been detected a report would be sent to the Crown Office and Procurator Fiscal Service for their consideration. Please see the detected crime statistics provided previously for the answer to question 5. A hate crime would not be considered suitable for a Fixed Penalty Notice to be issued and so the answer to question 6 will be 0.

7. How many incidents of disability hate crime during each financial year (2020/21 and 2021/22) were recorded as also being linked to other protected characteristics like race, gender, or sexual orientation?

The table below provides the number of recorded hate crimes with a disability aggravator and at least one other aggravator.

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Recorded Disability Hate Crimes Which Include At Least One Other Hate Aggravator, Police Scotland ^{1,2,3,4,5}		
Period: 1st April 2020 - 31st March 2022 (Financial Years)		
Recorded Hate Crimes	2020/21	2021/22
Disability And At Least One Other Hate Aggravator	100	115
All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 22nd June 2022.		
1. The data was extracted using the incident's raised date and extracted from iVPD by selecting hate crimes with a disability aggravator.		
2. As there can be multiple aggravators attached to a hate crime, the total number of aggravators will not reflect the number of unique hate crimes.		
3. Please note, all of the hate crimes within Table 7 include at least one Disability Aggravator, plus at least one other Hate Aggravator (Race, Religion, Sexual Orientation, Transgender).		
4. Please note, hate crimes with only the Disability Aggravator are not included within Table 7.		
5. Please note, other aggravators (which are not hate aggravators) may be included.		
<i>Police Scotland does not retain any information for statistical purposes once a record has been weeded from iVPD. When a record is weeded, it is removed from the system, and there is no retention of data outside the weeding and retention policy. Please note, the weeding and retention policy states that if a person is recorded as "no concern / not applicable" then this will only be retained for 6 months.</i>		
Please note that these data are collated from the Police Scotland iVPD system, which has an automated weeding and retention policy built on to it. A copy of the retention policy is available on the Police Scotland internet site (https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/june/21-1479-sop-records-retention/).		

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 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 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.

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