| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2733  Responded to: 16th November 2023 |
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Your recent request for information is replicated below, together with our response.

1. **Any and all communications between Scottish Government ministers and Police Scotland regarding Hate Crime for the month of October 2023.**

If I start off by just looking at the email aspect of 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, we have previously attempted to conduct similar keyword searches to the one that would be required. In this case a search for emails containing the phrases “Hate” and “Hate Crime” along with numerous others to cover the different types of Hate Crime would be required.

Despite extensive efforts to retrieve emails requested by keyword it has become clear that whilst we do have the facility to conduct a keyword search but we do not have the facility to limit this to a particular date range.

This means that any mention of the keywords on any date would be returned. These are returned as individual full mailbox archive files for each mailbox that contains these keywords.

Once these archives are retrieved, a manual process is required to confirm which emails within each file contain the keyword required. This is further complicated by the fact that we will simply know there is at least one email within the mailbox archive that contains the keyword. There could be 1 or 100 and so each email would need to be manually checked for the topic requested.

During previous similar keyword requests we have conducted a rough estimate using one of our divisions (A Division) which accounts for a bit over 1,300 mailboxes. It is estimated that 100-200 of these may contain the keywords requested. If this is extrapolated across our other divisions this would give us a rough estimate of 2,400 to 3,600 mailbox files to review but it is expected this number may be higher due to the relative size of some of our divisions.

At an average estimate of 30 minutes to check each mailbox file concerned, this equates to around 1,200 to 1,800 hours of work to complete.

This is before we consider a review of additional communications such as files/notes/minutes/whatsapp messages etc held by Police Scotland which would again require a degree of manual searching. It is likely a full check of all documents held by the force would add thousands of additional hours to the time it would take to comply with the request.

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

To be of some assistance, I made enquiries with the department most likely to hold the requested information, namely the Diversity Unit within our Partnerships, Prevention and Community Wellbeing Division. They have confirmed they do not have any correspondence covered by your request.

1. **Any documents relating to Hate Crime published in October 2023.**

Please find the requested information attached.

1. **The minutes of any meetings relating to Hate Crime published in October 2023.**

Police Scotland do not hold any minutes that fall under the scope of your request. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

1. **The number of Hate Crime incidents reported to police each month (split into categories) for the past three years.**

Please find the requested information in table 1 of the attached spreadsheet. I would ask you to note the caveats provided below the table.

1. **The number of Hate Crime cases the police pass to the Crown Office each month (split into categories) for the past three years.**

Please find the requested information in table 2 of the attached spreadsheet. I would ask you to note the caveats provided below the table.

1. **The number of cases the police have investigated which involved possible Anti-Semitism each month for the past three years.**

Please see table 3 and 4 of the attached spreadsheet. I would ask that you carefully note the caveats provided under each table and would emphasise that Police Scotland do not specifically have a marker for antisemitism and so statistics where Hate Concern Incidents Nominals with Racial Hate Reason of 'Jewish' and Hate Concern Incidents Nominals where Religious Hate Reason of 'Jewish' and/or 'Muslim' have been provided.

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.