| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-1135Responded to: 02 July 2024 |
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Your recent request for information is replicated below, together with our response.

Please provide the following information:

## Total number of arrests, monthly, from January 2018 to present, on suspicion of hate crime

## Total number of arrests, monthly, from January 2018 to present, on suspicion of hate crime, where the action in question was online activity

In response to questions 1 and 2, the Criminal Justice (Scotland) Act 2016 removed the separate concepts of arrest and detention and replaced them with a power of arrest without warrant - where there are reasonable grounds for suspecting a person has committed, or is committing, an offence.

When a person is arrested, a statement of arrest should be read over as soon as reasonably practicable and details recorded in the arresting officer’s notebook.

A person is ‘Not Officially Accused’ (a suspect) when arrested *and* *not* cautioned and charged. They are ‘Officially Accused’ once arrested *and* cautioned and charged.

If conveyed to a police station, the arrested person will have their details recorded in our National Custody System.

There are situations however whereby a person must be released from police custody prior to their arrival at a police station - effectively they are ‘de-arrested’ - where the reasonable grounds for suspicion no longer exist. In those circumstances, the details of an arrested person are not held electronically.

As a result, we are unfortunately unable to collate comprehensivearrest data, as case by case assessment of all officer notebooks would be required - in addition to the partialarrest data held in the National Custody System.

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request and I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

If you would be interested in data regarding only those individuals arrested *and brought into police custody,* we may be able to provide some data.

For the reasons outlined above, Police Scotland do not routinely or otherwise collate data on ‘arrests’.

## Total number of charges of hate crime made, monthly, from January 2018 to present

## Total number of people charged with hate crime, monthly, from January 2018 to present

In response to the two questions above, please see the tables below which provide the number of detected hate crime offences along with the associated aggravators. Please be advised that more than one aggravator can be associated with a single offence.

Please note the caveats at the bottom of the tables.

Detected crimes are those where an accused has been identified and there exists a sufficiency of evidence under Scots Law to justify consideration of criminal proceedings.

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to determine whether the individual in each detected offence was charged.

I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

The information below has been extracted from the interim Persons Database (iVPD). iVPD is the formal means by which Police Scotland record police contact with adults, children and young people who are, or are perceived to be, experiencing some form of adversity and / or situational vulnerability, which may impact on their current or future wellbeing; or where force policy dictates e.g. domestic abuse, hate crime, youth offending or to record details of victim’s rights under section 8 and 9 of the Victims and Witnesses (Scotland) Act 2014.

The iVPD is a dynamic database which is constantly being updated and changed.

2018 Detected Crimes by Year, Month and aggravator.

| **Month** | **Total No.** | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** |
| --- | --- | --- | --- | --- | --- | --- |
| January | 262 | 56 | 186 | 23 | 2 | 17 |
| February | 229 | 41 | 167 | 10 | 8 | 11 |
| March | 279 | 60 | 191 | 21 | 3 | 17 |
| April | 288 | 60 | 202 | 23 | 2 | 21 |
| May | 318 | 73 | 211 | 20 | 5 | 22 |
| June | 371 | 88 | 240 | 30 | 2 | 23 |
| July | 395 | 85 | 270 | 38 | 4 | 11 |
| August | 401 | 88 | 267 | 43 | 8 | 15 |
| September | 372 | 85 | 234 | 38 | 2 | 30 |
| October | 359 | 84 | 233 | 28 | 4 | 20 |
| November | 300 | 76 | 192 | 24 | 0 | 26 |
| December | 363 | 92 | 219 | 41 | 6 | 17 |

2019 Detected Crimes by Year, Month and aggravator.

| **Month** | **Total No.** | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** |
| --- | --- | --- | --- | --- | --- | --- |
| January | 332 | 106 | 203 | 30 | 2 | 17 |
| February | 310 | 75 | 204 | 25 | 8 | 9 |
| March | 354 | 94 | 220 | 32 | 8 | 18 |
| April | 396 | 82 | 250 | 51 | 8 | 24 |
| May | 339 | 77 | 206 | 36 | 6 | 32 |
| June | 399 | 113 | 243 | 35 | 5 | 28 |
| July | 395 | 115 | 235 | 42 | 10 | 17 |
| August | 424 | 104 | 256 | 60 | 8 | 19 |
| September | 360 | 84 | 242 | 33 | 8 | 16 |
| October | 384 | 101 | 252 | 33 | 5 | 14 |
| November | 364 | 108 | 211 | 50 | 4 | 18 |
| December | 364 | 111 | 200 | 50 | 6 | 22 |

2020 Detected Crimes by Year, Month and aggravator.

| **Month** | **Total No.** | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** |
| --- | --- | --- | --- | --- | --- | --- |
| January | 353 | 87 | 222 | 31 | 8 | 25 |
| February | 333 | 103 | 204 | 22 | 4 | 25 |
| March | 321 | 92 | 200 | 24 | 4 | 17 |
| April | 320 | 74 | 212 | 31 | 0 | 16 |
| May | 439 | 132 | 255 | 46 | 10 | 24 |
| June | 468 | 112 | 312 | 40 | 5 | 33 |
| July | 487 | 123 | 310 | 44 | 4 | 33 |
| August | 472 | 142 | 294 | 40 | 5 | 25 |
| September | 459 | 124 | 301 | 35 | 5 | 28 |
| October | 354 | 108 | 212 | 37 | 5 | 19 |
| November | 388 | 112 | 236 | 24 | 8 | 24 |
| December | 357 | 142 | 193 | 25 | 2 | 26 |

2021 Detected Crimes by Year, Month and aggravator.

| **Month** | **Total No.** | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** |
| --- | --- | --- | --- | --- | --- | --- |
| January | 265 | 76 | 169 | 24 | 0 | 12 |
| February | 280 | 85 | 164 | 24 | 2 | 28 |
| March | 339 | 88 | 205 | 42 | 2 | 30 |
| April | 377 | 117 | 213 | 28 | 5 | 41 |
| May | 427 | 132 | 246 | 44 | 10 | 35 |
| June | 421 | 115 | 260 | 36 | 11 | 29 |
| July | 424 | 120 | 260 | 27 | 8 | 38 |
| August | 462 | 157 | 272 | 33 | 4 | 36 |
| September | 365 | 102 | 222 | 19 | 8 | 30 |
| October | 413 | 138 | 238 | 21 | 16 | 30 |
| November | 341 | 100 | 199 | 17 | 13 | 35 |
| December | 340 | 112 | 187 | 28 | 6 | 36 |

2022 Detected Crimes by Year, Month and aggravator.

| **Month** | **Total No.** | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** |
| --- | --- | --- | --- | --- | --- | --- |
| January | 343 | 100 | 208 | 27 | 4 | 32 |
| February | 310 | 98 | 180 | 28 | 2 | 26 |
| March | 351 | 118 | 200 | 14 | 7 | 37 |
| April | 362 | 109 | 197 | 39 | 6 | 31 |
| May | 401 | 100 | 251 | 38 | 10 | 32 |
| June | 383 | 129 | 221 | 28 | 7 | 42 |
| July | 343 | 115 | 192 | 24 | 3 | 38 |
| August | 341 | 113 | 181 | 29 | 3 | 32 |
| September | 329 | 85 | 197 | 36 | 6 | 29 |
| October | 337 | 89 | 216 | 18 | 15 | 22 |
| November | 323 | 102 | 175 | 20 | 9 | 45 |
| December | 320 | 87 | 196 | 22 | 7 | 36 |

2023 Detected Crimes by Year, Month and aggravator.

| **Month** | **Total No.** | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** |
| --- | --- | --- | --- | --- | --- | --- |
| January | 315 | 97 | 158 | 40 | 8 | 45 |
| February | 281 | 85 | 155 | 26 | 10 | 36 |
| March | 304 | 92 | 182 | 18 | 10 | 26 |
| April | 291 | 78 | 183 | 15 | 4 | 27 |
| May | 383 | 95 | 227 | 31 | 5 | 46 |
| June | 350 | 97 | 201 | 23 | 10 | 39 |
| July | 364 | 105 | 207 | 23 | 7 | 46 |
| August | 360 | 107 | 217 | 18 | 5 | 51 |
| September | 301  | 99 | 171 | 16 | 5 | 27 |
| October | 309 | 91 | 179 | 23 | 5 | 40 |
| November | 281 | 68 | 161 | 20 | 4 | 50 |
| December | 298 | 82 | 182 | 13 | 3 | 36 |

2024 (Jan-Mar) Detected Crimes by Year, Month and aggravator.

| **Month** | **Total No.**  | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** |
| --- | --- | --- | --- | --- | --- | --- |
| January | 226 | 61 | 136 | 13 | 5 | 28 |
| February | 249 | 77 | 144 | 19 | 4 | 31 |
| March | 260 | 69 | 158 | 28 | 7 | 28 |

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 30/5/2024.
Raw Data was extracted on 30th May 2024, this may differ from the extraction date of previously published data.
Data prior to 1st April 2024 has been extracted from the Interim Vulnerable Persons Database (iVPD).
Data from iVPD has been extracted based on crimes/offences which include at least one of the hate aggravators.
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.
Please note, a flag has been added to the dataset to highlight the hate aggravators related to each hate crime.
Please note, the 'charge id' relates to the individual crimes/offences. The 'incident id' relates to the overall incident. An incident can include more than one crime/offence.

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.  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.

As of 1 April 2024, Hate Crime information is now recorded within Police Scotland’s crime recording system UNIFI.

2024 (April) Detected Crimes by Year, Month and Aggravator.

| **Month** | **Total No.** | **Sexual Orientation** | **Race** | **Religion** | **Transgender** | **Disability** | **Age** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| April  | 529 | 133 | 276 | 41 | 12 | 87 | 7 |

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 30th May 2024.
Raw Data was extracted on 30th May 2024, this may differ from the extraction date of previously published data.
Data from 1st April 2024 has been extracted from the National Crime Unifi database.
Data from National Unifi Crime has been extracted based on crimes/offences which include at least one of the hate aggravators and/ or are one of the following offences:

Racially aggravated harassment
Racially aggravated conduct
Stirring up hatred: Racial
Stirring up hatred: Other Group
Race Relations Legislation (Public Order Act)

Due to the different sources of data being used, and the different methodology/counting rules, comparison of recorded hates crimes from the 1st April 2024 with recorded hate crimes prior to the 1st April 2024 would not be advised. Any comparison of the two datasets should be carried out with caution.
Please note, a flag has been added to the dataset to highlight the hate aggravators related to each hate crime. Please note, 'Age' and 'Variations in Sex Characteristics' are aggravators which were introduced on the 1st April 2024.

## Please then break down 1, 2, and 3 by the following categories:

## Whether the suspected/charged hate crime was committed online or in-person

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request and I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

By way of explanation, there is no straightforward method to determine if the offences noted were committed in person or online as such each record would need to be manually assessed to identify the information requested.

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.

## The group identified as the target of hate action

Please see the response to questions 3 and 4 above, where the aggravators have been added to the table.

## Whether the person arrested or charged had any previous criminal convictions

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request and I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

By way of explanation, to identify if any perpetrator had any previous convictions, each record would need to be manually assessed to identify the perpetrator, a second search would then need to take place on each individual to identify any criminal history.

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.

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 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 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.