| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1322  Responded to: 04 July 2023 |
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Your recent request for information is replicated below, together with our response.

To provide some general context, Police Scotland defines a **hate incident** as ‘any incident which is perceived by the victim or any other person to be motivated (wholly or partly) by malice and ill-will towards a social group but which does not constitute a criminal offence.’

Police Scotland defines a **hate crime** as, ‘any crime which is perceived by the victim or any other person, to be motivated (wholly or partly) by malice and ill-will towards a social group.’

Social groups are identified in accordance with the Lord Advocates guidelines on Aggravations of Offences against Prejudice i.e. race, sexual orientation, religion/faith, disability or transgender identity.

## In your police force, for each of the last two financial years (2021/22 and 2022/23): how many incidents of disability hate crime have been recorded?

Please see the table below along with the caveats underneath the table.

The data for this table and all other tables contained within this response has been extracted from Police Scotland’s interim Vulnerable Person’s 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.

With reference to all tables provided, 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 ([Police Scotland Record Retention Standard Operating Procedure](https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/june/21-1479-sop-records-retention/)).

Additionally, it is worthy of note that the figures provided in all tables within this response relate to crimes and incidents recorded as being aggravated by disability prejudice. Victims of hate crimes/incidents do not have to be a member of any of the protected groups in order to be a victim. For example, in this instance an individual who is the victim of a disability incident does not have to have a disability, or disclose any disability, for this to be perceived, recorded and investigated as a hate related incident.

Recorded Disability Hate Crimes, Police Scotland

Period 01 April 2021 until 31 March 2023

| **Aggravator** | **2021/22** | **2022/23** |
| --- | --- | --- |
| Disability | 550 | 592 |

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 of 13th June 2023.

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.

3. Please note, all the hate crimes within the table above include at least one Disability Aggravator (but may also include other aggravators too).

## For each financial year (2021/22 and 2022/23): how many recorded incidents of disability hate crime involved acts of violence against a person?

Along with the earlier notes above, please see the table below along with the caveats underneath the table.

Recorded Group 1 and Common Assault Disability Hate Crimes, Police Scotland

Period 01 April 2021 until 31 March 2023

| **Crime Bulletin Category** | **2021/22** | **2022/23** |
| --- | --- | --- |
| Serious Assault (including culpable & reckless conduct - causing injury) | 2 | 0 |
| Robbery and assault with intent to rob | 3 | 2 |
| Domestic Abuse (Total) | 4 | 3 |
| Other Group 1 crimes | 0 | 1 |
| Common Assault | 45 | 43 |
| **TOTAL** | **54** | **49** |

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 of 13th June 2023.

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.
4. Please note, all the hate crimes within the table above include at least one Disability Aggravator (but may also include other aggravators too).

## For each financial year (2021/22 and 2022/23): how many incidents of disability hate crime were recorded as taking place online?

## For each financial year (2021/22 and 2022/23): how many of the recorded incidents of disability hate crime resulted in a charge or summons

In response to the above two questions, 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 straightforward method to extract data on whether a crime took place online. In order to determine this each crime would need to be manually examined to determine the nature of the offence. As you can see from the first table for the financial year 2021/2022 there were 550 hate crimes with a disability aggravator. I estimate that it would take 5 minutes to examine a single record. This would equate to an excess of 45 hours; this time frame would significantly increase when including the second financial year. Likewise, in order to identify any charges or summons the same manual search would need to take place, with the same 5 minutes per record time frame.

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.

Should you wish to significantly reduce the time period of your request it may be that some information could be provided to you, however it is worthy of note that the time period may have to be significantly narrow that this would mitigate any meaningful comparative data.

## For each financial year (2021/22 and 2022/23): how many incidents of disability hate crime were recorded as also linked to other protected characteristics like race, religion, gender or sexual orientation?

Along with the earlier notes above, please see the table below along with the caveats underneath the table.

Recorded Disability Hate Crimes which include at least one other Hate Aggravator

Period 01 April 2021 until 31 March 2023

| **Recorded Hate Crimes** | **2021/22** | **2022/23** |
| --- | --- | --- |
| Disability And At Least One Other Hate Aggravator | 115 | 146 |

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 of 13th June 2023.

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 the table above 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 the table.

5. Please note, other aggravators (which are not hate aggravators) may be included.

## 6. A.For each financial year (2021/22 and 2022/23): did your police force employ a trained, specialist Disability Liaison Officer (DLO)? B. In your police force, is a DLO currently in post?

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 do not use the term Disability Liaison Officer.

To be of some assistance, I can confirm that Police Scotland hold the role of Disability Co-ordinator. The role purpose of the disability co-ordinator is to develop and deliver disability support services for staff and officers, encompassing advisory services, training and guidance. To promote working practices which encourage disclosure and foster a supportive, accessible and inclusive working environment for all officers and staff with disabilities. To provide expert advice and guidance to employees and managers in relation to the support and management of disabilities in the workplace and the provision of reasonable adjustments.

You may find the following public document useful.

[Police Scotland Equality Diversity and Dignity Standard Operating Procedure](https://www.scotland.police.uk/spa-media/3lka0za4/equality-diversity-and-dignity-sop.pdf)

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.