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Our Ref: IM-FOI-2022-1604
Date: 16 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.

I write, under the terms of the Freedom of Information Act, to request the number of allegations of LGBT hate crime made against serving police officers between January 2014 and June 2022. As part of this, I would like the information to be broken down into the following:

- i) The number of allegations of LGBT-related hate crime against serving police officers each year – from January 2014 to June 2022, including a grand total;**
- ii) The sex and gender of each officer against whom an allegation was made;**
- iii) The number of allegations that were upheld and resulted in disciplinary action – including dismissal, and the number of allegations that were discontinued;**
- iv) The number of officers against whom allegations were made are still serving police officers.**

Any information of relevance to your request would be recorded on our Professional Standards (PSD) database as an allegation of officer criminality.

Unlike general crime recording, where recording process differ between crimes generally and hate crimes, allegations of officer criminality are recorded in terms of the offence alone - eg assault, communications offences etc.

There are no flags or markers that could be relied upon to identify allegations of criminality motivated by hate generally or LGBT hate specifically.

On that basis, 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 several thousand individual complaint and conduct cases would have to be individually reviewed for potential relevance.

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.

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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.