| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0850  Responded to: 15 May 2024 |
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Your recent request for information is replicated below, together with our response.

## Please provide a list of all stakeholders and consultees who were engaged by Police Scotland as part of its preparations for the launch of its Hate Monster campaign.

Tackling hate crime is a priority for Police Scotland. Hate crime negatively impacts on individuals, communities, and wider society. For victims, who are often already very vulnerable, it can have a deeply damaging impact.

Police Scotland’s last hate crime campaign, which included the Hate Monster, ran for six weeks in Spring 2023. It was not related to the introduction of the new Hate Crime and Public Order (Scotland) Act.

We have not produced any campaign material about the new Act, although we have shared content from the Scottish Government’s about it.

The hate crime campaign we ran in 2023 was developed using industry best-practice, including behaviour change communication techniques.

It was not the first anti-hate crime campaign Police Scotland has delivered. In the past our efforts have focused on encouraging the reporting of hate crime, either by victims or bystanders. This was the first campaign, however, where we aimed to engage directly with those most at risk of offending, with the biggest opportunity to change, and asked them to reflect on what factors could lead to them potentially committing a hate crime.

The campaign was informed by a rigorous research and insight process which considered in detail crime statistics, academic research into hate crime and its causes, and the views of partners and stakeholders with the most knowledge of this crime type. This included insight from Police Scotland’s Partnerships, Preventions and Community Wellbeing Division by way of an internal document containing information extracted from the iVPD system, and a Scottish Government study [Police recorded hate crime - characteristics: updated study - gov.scot (www.gov.scot)](https://www.gov.scot/publications/updated-study-characteristics-police-recorded-hate-crime-scotland/) (Jan 23).  These sources of data identified key offender characteristics and provided information which helped identify our target audience.

This process of using insight and research to identify target audiences is the same process that led to the development of our hugely successful and widely praised Don’t Be That Guy campaign, which aims to reduce sexual violence against women. This campaign was copied around the world and has won multiple awards. Don’t Be That Guy targeted males aged between 18 and 35 because our insight identified that group as our target audience. Our hate crime campaign was no different.

Behaviour change campaigns are always targeted at specific audiences, particularly where budgets are limited. This is a key principle of communications and marketing practice.

In reaching and influencing those at risk of offending, we understood that confrontation, rejection and shaming cannot affect behaviour change. While we can express condemnation of the crime, we knew we needed to communicate with authenticity, acknowledging individual lived experience. We needed to talk to the audience as equals, preferably through peers, and present positive models of behaviour.

This led to the development of the Hate Monster campaign in the form of a short, animated video. This was created by our in-house design team, keeping costs to a minimum. The animation was shared on both paid for and Police Scotland social media channels. We also produced printed materials and a toolkit that we shared with our partners who encounter victims of hate crime and those at risk of offending.

The Hate Monster animation was not the campaign in and of itself. Its purpose was to be something that was attention grabbing, could cut through the noise of social media and inspire the target to audience to click through to a longer form piece of video; podcast-style content that we created with individuals who work closely with those who have committed hate crimes.

The campaign did not seek to shame those at risk of offending, in fact it aimed to do the opposite, it aimed to acknowledge the factors that can lead to offending and offer solutions on how it could be avoided.

The campaign achieved its objective. During the period it was live, 142,000 people watched the animation, with 84 per cent watching to completion. More than 13,000 people watched at least 30 seconds of the longer form product. Those who clicked through to the longer form were predominantly from our target audience.

While campaign material remained on the Police Scotland website after the end of the campaign, the campaign ended after it had run for six weeks.

In response to your specific question above I can advise that the information requested is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the exemption at sections 30(b)(i) Prejudice to effective conduct of public affairs and section 38(1)(b) Personal Data, of the Act apply.

Section 16 requires Police Scotland to (a) state that it holds the information, (b) state that it is claiming an exemption, (c) specify the exemption in question and (d) state, if that would not be otherwise apparent, why the exemption applies.

**30(b)(i) Prejudice to effective conduct of public affairs**

Partner organisations who choose to work with Police Scotland, expect a level of confidentiality and discretion, to publicly disclose all stakeholder and consultee details may negatively impact these organisations.

If these organisations are aware that Police Scotland will disclose their identities, they may in future refuse to engage with Police Scotland providing essential guidance and advice. It is necessary to maintain working relationships with these organisations to ensure that that public have access to the most up to date, relevant advice.

Should Police Scotland no longer be able to access the knowledge held by the stakeholders and consultees, this would negatively impact the public, by being detrimental to service provision. Police Scotland is a publicly funded organisation and therefore the organisation has an obligation to the public to provide relevant and efficient services.

This is a non-absolute exemption and requires the application of the Public Interest Test

## Public Interest Test

I can appreciate the public interest of disclosing the information requested, as providing the identities of stakeholders would allow greater scrutiny of the resources engaged with and the relationships of Police Scotland. However, disclosure of this information would likely adversely affect the processes that are used to provide an appropriate level of service internally and externally. It is imperative that Police Scotland maintain relationships that provide efficient service levels to the public.

I must advise that it is doubtful it could ever be in the public interest to disclose information which would jeopardise the delivery of policing, which could reduce the level of service provided to the public.

**38(1)(b) Personal Data**

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as:

*‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’*

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

*‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’*

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met.

The only potentially applicable condition is set out at Article 6(1)(f) which states:

*‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child’.*

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information, I do not accept that disclosure is necessary for that purpose.

Further, I am of the view that any interests are overridden by the interests or fundamental rights and freedoms of the data subject.

On that basis, it is my view that disclosure of the information sought would be unlawful.

## Please provide all Police Scotland correspondence - both internal and with external organisations - mentioning The Hate Monster campaign.

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.

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 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 requested.

By way of explanation, to provide all correspondence that mentioned the Hate Monster Campaign would require assessment of the notebook and email system of each police office, this would take a significant period of time to complete.

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](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.