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Our Ref: IM-FOI-2022-0196
Date: 18 February 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.

Further to the publication of Police Scotland Quarter 1 Performance Report April to June 2021/22 I would be grateful if you could provide the following information:

Can you provide a breakdown of the sex of the alleged perpetrators for the hate crimes with a transgender identity aggravator detailed in the above referenced report?

I can advise that number of perpetrators by gender that are linked to a hate crime with a transgender aggravator are 26 male, 8 female and 6 unknown at this time.

Can you provide the number of separate individuals who made a report of hate crime with a transgender identity aggravator?

I can advise that there are 34 individuals linked with a hate crime with a transgender aggravator.

Can you provide the number of individuals who reported two or more hate crimes with a transgender identity aggravator?

During the time period specified there were no victims linked with multiple hate crimes with a transgender aggravator.

Can you provide the number of reported hate crimes with a transgender identity aggravator that referenced social media such as Twitter & Facebook ?

Can you provide the number of reported hate crimes with a transgender identity aggravator that referenced misgendering?

Can you provide that number of reported hate crimes with a transgender identity aggravator that referenced stickers?

In response to the three questions above, 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.

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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, I have identified 45 hate crimes with a specific transgender aggravator, in order to be accurate there are a further two categories that contain instances where multiple aggravators apply and would require examination to determine if any of these were relevant. These are Multiple Aggravator (including Race or Religion) where there are 80 crimes identified and Multiple Aggravator (excluding Race or Religion) where a further 23 crimes have been identified, this totals 148 hate crimes that may contain the information you require.

There is no straightforward method for extracting the information required. The type of information requested would be held within the free text of crime reports or statements. In each case would need to be examined manually. I estimate that it would take a minimum of 20 minutes per crime to fully assess each document and ascertain any reference to social media, misgendering or stickers which equates to over 49 hours of work to retrieve the requested information.

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 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.