

Our Ref: IM-FOI-2021-2828
Date: 13 January 2021



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.

1. The number of transgender hate crimes reported per year from 2011 - 2021 (inclusive).

In terms of Section 17 of the Act, I can confirm that all of the information you seek is not held by Police Scotland.

By way of explanation, the iVPD database, which records the information required was created in 2014, as such data prior to this time is no longer held.

The table below provides the number of hate crimes recorded and the number of hate crimes detected from 2014 to 2021.

Recorded and Detected Hate Crimes from iVPD with a Transgender aggravator		
Period: 1st April 2014 - 20th December 2021 (inclusive) broken by financial year		
Financial year	Recorded Hate Crimes	Detected Hate Crimes
2015/16	46	32
2016/17	76	42
2017/18	84	52
2018/19	102	51
2019/20	124	76
2020/21	110	48
2021/22	132	73
Total	674	374
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 30/12/2021.		
1. The recorded data was extracted using the created on date where the record has a transgender aggravator recorded against it.		
2. The detected data was extracted using the detected date where the record has a transgender aggravator recorded against it.		
<i>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 (https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2021/june/21-1479-sop-records-retention/).</i>		

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- 2. The number of prosecutions for transgender hate crimes per year from 2011 - 2021 (inclusive).**
- 3. The number of transgender hate crimes that resulted in no further action, reported per year from 2011 - 2021 (inclusive).**
- 4. The number of successful prosecutions for transgender hate crimes per year from 2011 - 2021 (inclusive).**

In response to questions 2, 3 and 4, I must advise that Police Scotland does not hold prosecution information. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

- 5. The number of transgender police officers and their proportion as a percentage of all police officers, reported per year from 2011 - 2021 (inclusive).**

In terms of Section 17 of the Act, I can confirm that all of the information you seek is not held by Police Scotland.

By way of explanation, Police Scotland was created on 01 April 2013. Transgender identity recording began in 2014. As such no records are held for the years 2011 – 2013.

Please see the table below for the years 2014 – 2021.

The Transgender Identity Profile at 31st March each year includes all staff groups due to the small number. All Staff Groups includes police officers, police staff and special constables.

Staff within Police Scotland provide this personal sensitive data on a voluntary basis.

The table below shows the number and proportion of staff within Police Scotland who identify as Yes to the following question on the Police Scotland Equality & Diversity Monitoring Questionnaire: - "Do you currently or have you previously considered yourself as transgender?"

Year at 31st March	All Staff Groups	%
2014	37	<1%
2015	35	<1%
2016	34	<1%
2017	31	<1%
2018	29	<1%
2019	28	<1%

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2020	25	<1%
2021	22	<1%

6. The details of any police policies or initiatives to increase the detection and/or prosecution of hate crimes against transgender people.

Police Scotland takes a zero tolerance approach to hate crime and is committed to robustly investigating all reports of hate crime committed in our communities.

Police Scotland's national Equality and Diversity Unit have two officers dedicated to the LGBT strand for Equality and Diversity service delivery. These officers monitor LGBT hate crime providing advice assistance and guidance to frontline officers, departments and senior management teams. The Equality and Diversity Team have regular contact with external LGBT partners including LGBT Youth and the Scottish Trans Alliance to ensure that any campaigns or policies are appropriate and inclusive of Trans and gender non-conforming people, although the majority of our hate crime work is intersectional and covers all of the protected characteristics. The national team are in regular contact with divisional Equality and Diversity SPOC's on a range of matters, including Transgender hate crime. The rate of detection for hate crimes are reported quarterly to the Scottish Police Authority Policing Performance Committee.

7. The details or any police policies or initiatives to increase the trust the transgender community have in the police.

Upon commencing service Police Scotland officers receive Equality and Diversity training and throughout their career can enhance their knowledge by becoming Hate Crime Champions or Hate Crime Advisors. Both courses raise awareness on a range of hate crime types, including Transgender hate crime. Our existing Hate Crime Champions and Advisors ensure that the transgender community are heard in relation to hate crime. Police Scotland's Care and Welfare of Persons in Police Custody Standard Operating Procedure was written in consultation with Scottish Trans Alliance to ensure the bespoke requirements of transgender people are considered throughout their time in Police custody.

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.pnn.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.

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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.