| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-1288Responded to: 13 June 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## Can you provide the annual data (from 2015 to 2022) for each of the following hate crime strands disaggregated by sex of the a) victim, and b) perpetrators: Race hate crime (broken down by ethnicity) & Religion hate crime (against Muslims).

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.

The information provided has been extracted from Police Scotland’s interim Vulnerable Persons Database (iVPD). The system’s main function is to record the data of vulnerable people. As such, it was not designed to be a statistical tool.

It is worthy of note that the figures provided relate to crimes recorded as being aggravated by race or religious belief prejudice. Victims of hate crimes do not have to be a member of any of the protected groups to be a victim. For example, an individual who is the victim of a religious belief prejudice offence does not have to be a member of the identified religious denomination, for this to be perceived, recorded, and investigated as a hate related incident.

In response to your request, please see the attached data within the spreadsheet titled FOI 23-1288 Attachment 01. Please note the data caveats at the beginning of each table.

With respect to religious hate crimes specifically against Muslims I must advise that I am unable to provide you with all 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, as noted above the iVPD database is limited in its capacity to provide statistical information. As you can see from table 1, 4249 hate crimes with a religious aggravator have been identified. To determine if any offence was prejudice against those perceived to be Muslim each record would need to be manually assessed. A conservative estimate is that it would take approximately 4 minutes to examine a single record. This would equate to an excess of 283 hours of work. Greatly exceeding the cost threshold set out within the Act.

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.

Whilst I would normally suggest a way to amend your request to provide some data, I do not believe there is a way this question can be answered within cost in its current form.

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 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 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.