| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-0552Responded to: 16th March 2023 |
| --- | --- |

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

## 1. Reported cases of Homophobic behaviour at football grounds between the year 2010- present by year 2. Reported Homophobic hate crimes at football grounds between the year 2010-present by year 3. Reported Homophobic hate crimes that resulted in arrest between the year 2010-present by year.

## If information is not available from as early the year 2010 can you please provide with the data as queried above from the earliest recorded year.

In response to these questions, I can first of all advise you that in line with our [Record Retention SOP](https://www.scotland.police.uk/spa-media/nhobty5i/record-retention-sop.pdf), data of recorded hate incidents and hate crimes is, in most cases retained for a period of 6 years.

For the most recent time periods, in terms of the Act, 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 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, the system where hate incidents/crimes are recorded (Interim Vulnerable Persons Database) cannot be searched by location. As such all sexual orientation hate incidents and crimes would have to be manually reviewed to establish whether they match your request. There are currently several thousand reports held. Therefore this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

## 4. Reported Homophobic hate crimes at football grounds that have resulted in conviction between the year 2010-present by year.

Police Scotland does not hold conviction 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

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.