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## Hate Crime in Scotland, 2020-21

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## Main points

The total number of charges containing at least one element of hate crime increased to 5,525 in 2020-21, 4% more than 2019-20.

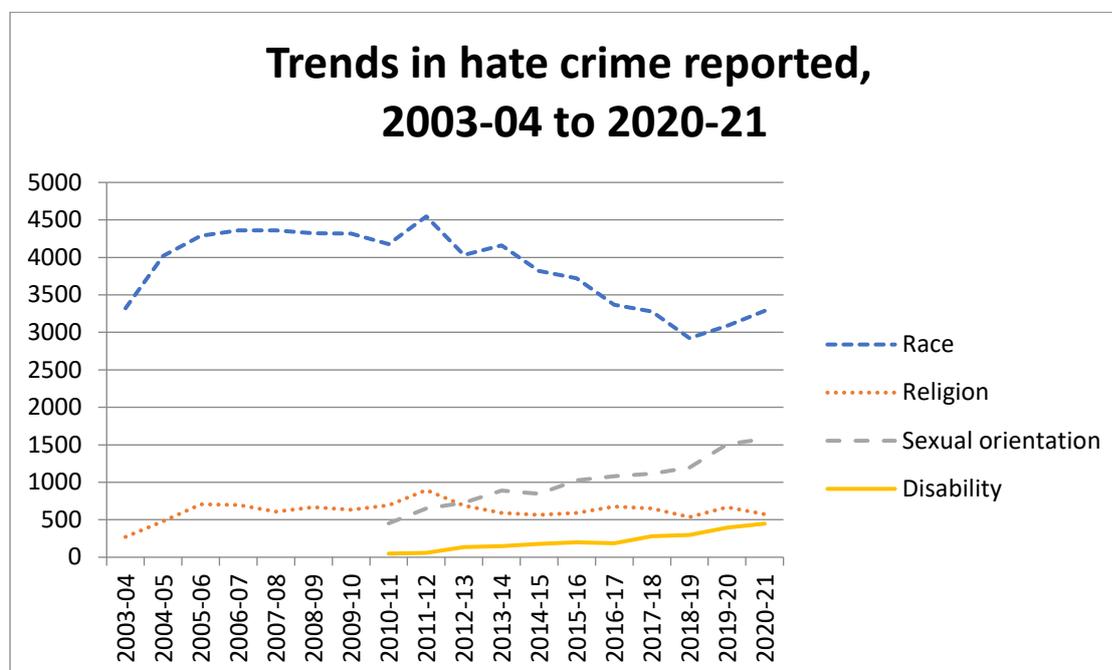
Racial crime remains the most commonly reported hate crime. In total 3,285 charges relating to race crime were reported in 2020-21, an increase of 6% compared to 2019-20. The number of charges has increased in recent years but is still 28% lower than the peak in such charges in 2011-12, when 4,547 were reported.

Sexual orientation aggravated crime is the second most commonly reported type of hate crime. The number of charges reported increased by 5% in 2020-21 to 1,580. With the exception of 2014-15, there have been year on year increases in charges reported since the legislation introducing this aggravation came into force in 2010.

There were 573 charges with a religious aggravation reported in 2020-21, 14% fewer than in 2019-20. Direct comparisons are not possible with all earlier years, but the number of charges with a religious aggravation in 2020-21 appears to be at a lower level than the number of charges containing a religious element in all of the last ten years except 2018-19.

The number of disability aggravated charges increased by 14% to 448 in 2020-21. With the exception of 2016-17, there have been year on year increases in charges reported since the legislation introducing this aggravation came into force in 2010.

There were 46 charges reported in 2020-21 with an aggravation of transgender identity, compared to 47 in 2019-20.



## Introduction

This publication provides details of hate crime reported to the Procurator Fiscal in Scotland in 2020-21, and earlier years. The relevant legislative provisions are provided in Annex 1.

As well as figures on each separate category of hate crime, figures on the total number of charges reported containing at least one element of hate crime is included in this publication. Some additional information on the sex and age of accused is also provided for the first time.

## Background

The information in this publication is obtained from the Crown Office and Procurator Fiscal Service (COPFS) operational database. The database manages and processes reports submitted to Procurators Fiscal by the police and other reporting agencies throughout Scotland. Since this is a live database, the figures in this publication may differ slightly from those published in earlier years due to changes made during the investigation and prosecution of a case.

The information in this publication covers 2011-12 to 2020-21. The legislation for disability, sexual orientation and transgender identity hate crime came into force on 24 March 2010. For the other categories of hate crime (racial and religious) the publication includes some additional information on longer term trends since 2003-04, the earliest year for which consistent figures are available.

The figures quoted in this publication relate to the number of charges reported rather than the number of individuals charged or the number of incidents that gave rise to such charges. Where a charge has more than one hate crime aggravation, it is included in the overall figures for each type of hate crime into which it falls.

The tables provide information on the initial decision taken by Procurators Fiscal on how a charge will proceed. This includes the decision to take court proceedings or to use alternatives to prosecution including fiscal fines and other direct measures. Further information on what is included in each decision category, including a breakdown of the reasons for taking no action, is provided in Annex 1.

## Race crime (Tables 1a, b, c and d)

In total 3,285 charges relating to race crime were reported in 2020-21, an increase of 6% compared to 2019-20 and the highest annual figure since 2016-17. The number of charges has increased in recent years but is still lower than the annual numbers of charges reported between 2003-04 and 2016-17. It is 28% lower than the peak in such charges in 2011-12, when 4,547 charges were reported.

The proportion of charges that specifically relate to racially aggravated harassment and behaviour has fallen steadily over recent years, from 61% in 2011-12 to 38% in 2020-21. There has been a corresponding increase in the proportion of charges relating to other offences (for instance, threatening or abusive behaviour, or assault) with a racial aggravation. In order to prove a charge of racially aggravated harassment and behaviour two sources of evidence are required for the racially aggravated aspect of the crime. Evidence from a single source is sufficient to prove a racial aggravation which is attached to another substantive charge libelled.

Court proceedings were commenced in respect of 81% of charges in 2020-21. In total, 89% of charges reported in 2020-21 led to court proceedings (including those not separately prosecuted<sup>1</sup>, but which may have been incorporated into other charges for the same accused which were prosecuted).

No action was taken in respect of 3% of charges.

## **Religious crime (Tables 2a, b and c)**

There were 573 charges with a religious aggravation reported in 2020-21, which is 14% fewer than in 2019-20.

In the period 2012-13 to 2017-18 some charges that would otherwise have been reported with a religious aggravation will have been reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. Direct comparisons of the number of charges reported with a religious aggravation between 2012-13 and 2017-18 inclusive, and other years are therefore potentially unreliable. Research by the Scottish Government provided an estimate of how many additional religious charges there were in each year between 2012-13 and 2016-17, but no estimate is available for 2017-18 due to the repeal of the Act. However, the number of charges with a religious aggravation in 2020-21 appears to be at a lower level than the number of charges containing a religious element in all of the last ten years except 2018-19.

In 2020-21, court proceedings were commenced in respect of 81% of charges with a religious aggravation. In total, 89% of charges reported in 2020-21 led to court proceedings (including those not separately prosecuted, but which may have been incorporated into other charges for the same accused).

No action was taken in respect of 2% of charges.

## **Disability (Table 3a, b and c)**

In 2020-21, 448 charges were reported with an aggravation of prejudice relating to disability, 14% more than in 2019-20. This is the highest number of charges reported since the legislation creating this aggravation came into force in 2010. The number

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<sup>1</sup> See note 7 of the Annex for the definition of charges not separately prosecuted.  
Hate Crime in Scotland, 2020-21  
Published 11 June 2021  
Page 4 of 25

of charges reported has increased year on year since the legislation was introduced, with the exception of a small fall in 2016-17.

Court proceedings were commenced in respect of 82% of charges reported in 2020-21. In total 88% of charges led to court proceedings, including those not separately prosecuted, but which may have been incorporated into other charges for the same accused.

No action was taken in respect of 3% of charges reported in 2020-21.

## **Sexual orientation (Table 4a, b and c)**

In 2020-21, 1,580 charges were reported with an aggravation of prejudice relating to sexual orientation, 5% more than in 2019-20. The number of charges reported has increased consistently year on year since the legislation was introduced, with the exception of a fall in 2014-15.

Court proceedings were commenced in respect of 82% of charges reported in 2020-21 (or 90% including those not separately prosecuted, but which may have been incorporated into other charges for the same accused).

No action was taken in respect of 1% of charges.

## **Transgender identity (Table 5a, b and c)**

In 2020-21, 46 charges were reported with an aggravation of prejudice relating to transgender identity, 1 fewer than in 2019-20. The total number of charges remains small and is thus likely to be subject to fluctuation from year to year. However the annual number of charges reported has been fairly constant at between 42 and 52 since 2016-17.

Court proceedings were commenced in respect of 32 of the 46 charges reported in 2020-21.

## **Total hate crime (Tables 6a and b)**

If a charge has more than one hate crime aggravation, it is included in this publication in each type of hate crime into which it falls. It is therefore not possible to add up the charges for each category of hate crime to obtain the total number of hate crime charges reported. Table 6a provides this information, with charges which relate to more than one category of hate crime counted only once.

In 2020-21, 5,525 charges with at least one hate crime element were reported, 4% more than in 2019-20. This is the highest number reported since 2013-14.

Almost 60% of charges with at least one hate crime element were charges under section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 (Threatening or abusive behaviour).

The majority of hate crime charges contain a racial element. However, the proportion that contain a racial element has generally decreased over the last ten years, from 75% in 2011-12 to 59% in 2020-21. The proportion of hate crime charges that relate to sexual orientation has increased from 11% to 29% over the same period.

## **Sex and age of accused persons (Tables 7a and b)**

In 2020-21, of the 5,525 accused in charges which contained at least one hate crime element, 4,316 or 78% were male. The highest proportion of male accused was for religiously aggravated charges, where 90% of accused were male.

In 2020-21, 7% of accused in charges which contained at least one hate crime element were aged under 18, with a further 7% aged 18 to 20. Accused aged over 40 made up 33% of the total. For religiously aggravated charges, those aged over 40 accounted for 43% of accused.

The figures by age and sex exclude any charges where this information was unknown or not recorded.

## Table 1: Race crime

### 1a Race: Charges reported 2011-12 to 2020-21

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Charges	4,547	4,034	4,160	3,820	3,721	3,367	3,278	2,923	3,087	3,285

### 1b Race: Decision on how charge will proceed (numbers)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	3,728	3,347	3,631	3,296	3,216	2,825	2,750	2,372	2,532	2,664
Not separately prosecuted	350	348	268	270	257	256	271	241	292	254
Direct measures	64	50	49	33	51	98	91	136	91	163
Referred to Children's Reporter	92	76	59	61	51	45	53	53	64	63
No action	313	213	153	160	146	143	113	121	108	98
Awaiting decision	0	0	0	0	0	0	0	0	0	43

### 1c Race: Decision on how charge will proceed (percentages)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	82%	83%	87%	86%	86%	84%	84%	81%	82%	81%
Not separately prosecuted	8%	9%	6%	7%	7%	8%	8%	8%	9%	8%
Direct measures	1%	1%	1%	1%	1%	3%	3%	5%	3%	5%
Referred to Children's Reporter	2%	2%	1%	2%	1%	1%	2%	2%	2%	2%
No action	7%	5%	4%	4%	4%	4%	3%	4%	3%	3%
Awaiting decision	-	-	-	-	-	-	-	-	-	1%

**1d Race: Charges by type (statutory racial or aggravated)**

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Total charges	4,547	4,034	4,160	3,820	3,721	3,367	3,278	2,923	3,087	3,285
Charges related to racially aggravated harassment and behaviour	2,792	2,376	2,300	1,969	1,757	1,462	1,370	1,206	1,226	1,245
Percentage of total	61%	59%	55%	52%	47%	43%	42%	41%	40%	38%
Charges related to another offence with a racial aggravation	1,755	1,658	1,860	1,851	1,964	1,905	1,908	1,717	1,861	2,040
Percentage of total	39%	41%	45%	48%	53%	57%	58%	59%	60%	62%

## Table 2: Religiously aggravated crime

### 2a Religion: Charges reported 2011-12 to 2020-21

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Charges	896	689	591	567	591	678	650	535	667	573

### 2b Religion: Decision on how charge will proceed (numbers)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	782	564	526	490	540	582	556	458	562	463
Not separately prosecuted	63	78	38	34	28	55	47	44	62	49
Direct measures	12	10	4	5	5	24	22	19	20	40
Referred to Children's Reporter	5	13	1	5	3	3	3	0	6	7
No action	34	24	22	33	15	14	22	14	16	9
Awaiting decision	0	0	0	0	0	0	0	0	1	5

## 2c Religion: Decision on how charge will proceed (percentages)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	87%	82%	89%	86%	91%	86%	86%	86%	84%	81%
Not separately prosecuted	7%	11%	6%	6%	5%	8%	7%	8%	9%	9%
Direct measures	1%	1%	1%	1%	1%	4%	3%	4%	3%	7%
Referred to Children's Reporter	1%	2%	0%	1%	1%	0%	0%	-	1%	1%
No action	4%	3%	4%	6%	3%	2%	3%	3%	2%	2%
Awaiting decision	-	-	-	-	-	-	-	-	0%	1%

## 2d Religion: Estimated total religious charges reported 2011-12 to 2020-21, including those under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 (OBFTC)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Additional religious charges under OBFTC		75	48	48	50	46	Not Avail.			
Estimated total religious charges	896	764	639	615	641	724	Not Avail.	535	667	573

### Table 3: Disability aggravated crime

#### 3a Disability: Charges reported 2011-12 to 2020-21

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Charges	60	137	147	176	199	188	282	296	394	448

#### 3b Disability: Decision on how charge will proceed (numbers)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	36	94	127	151	173	146	231	255	347	368
Not separately prosecuted	7	7	4	6	13	21	13	17	24	28
Direct measures	3	5	3	2	8	13	15	7	8	30
Referred to Children's Reporter	2	6	0	1	1	3	3	3	9	4
No action	12	25	13	16	4	5	20	14	6	13
Awaiting decision	0	0	0	0	0	0	0	0	0	5

### 3c Disability: Decision on how charge will proceed (percentages)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	60%	69%	86%	86%	87%	78%	82%	86%	88%	82%
Not separately prosecuted	12%	5%	3%	3%	7%	11%	5%	6%	6%	6%
Direct measures	5%	4%	2%	1%	4%	7%	5%	2%	2%	7%
Referred to Children's Reporter	3%	4%	-	1%	1%	2%	1%	1%	2%	1%
No action	20%	18%	9%	9%	2%	3%	7%	5%	2%	3%
Awaiting decision	-	-	-	-	-	-	-	-	-	1%

## Table 4: Sexual orientation aggravated crime

### 4a Sexual orientation: Charges reported 2011-12 to 2020-21

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Charges	650	729	887	848	1,027	1,081	1,116	1,194	1,508	1,580

### 4b Sexual orientation: Decision on how charge will proceed (numbers)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	535	564	780	757	890	899	955	994	1,279	1,299
Not separately prosecuted	42	63	66	43	55	94	82	108	115	118
Direct measures	24	36	9	8	18	40	37	48	65	95
Referred to Children's Reporter	11	18	9	10	22	21	15	16	27	35
No action	38	48	23	30	42	27	27	28	22	20
Awaiting decision	0	0	0	0	0	0	0	0	0	13

#### 4c Sexual orientation: Decision on how charge will proceed (percentages)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	82%	77%	88%	89%	87%	83%	86%	83%	85%	82%
Not separately prosecuted	6%	9%	7%	5%	5%	9%	7%	9%	8%	7%
Direct measures	4%	5%	1%	1%	2%	4%	3%	4%	4%	6%
Referred to Children's Reporter	2%	2%	1%	1%	2%	2%	1%	1%	2%	2%
No action	6%	7%	3%	4%	4%	2%	2%	2%	1%	1%
Awaiting decision	-	-	-	-	-	-	-	-	-	1%

## Table 5: Transgender identity aggravated crime

### 5a Transgender: Charges reported 2011-12 to 2020-21

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Charges	16	14	25	21	30	42	52	40	47	46

### 5b Transgender: Decision on how charge will proceed (numbers)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	12	11	22	18	20	31	34	30	38	32
Not separately prosecuted	1	1	0	1	4	3	6	4	2	5
Direct measures	0	0	0	0	4	0	6	2	3	4
Referred to Children's Reporter	2	1	1	0	0	6	1	2	0	2
No action	1	1	2	2	2	2	5	2	4	1
Awaiting decision	0	0	0	0	0	0	0	0	0	2

### 5c Transgender: Decision on how charge will proceed (percentages)

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Court proceedings	75%	79%	88%	86%	67%	74%	65%	75%	81%	70%
Not separately prosecuted	6%	7%	-	5%	13%	7%	12%	10%	4%	11%
Direct measures	-	-	-	-	13%	-	12%	5%	6%	9%
Referred to Children's Reporter	13%	7%	4%	-	-	14%	2%	5%	-	4%
No action	6%	7%	8%	10%	7%	5%	10%	5%	9%	2%
Awaiting decision	-	-	-	-	-	-	-	-	-	4%

## Table 6: Total hate crime charges

### 6a All charges which contain at least one statutory Hate Crime charge or aggravation, reported 2011-12 to 2020-21

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Total hate crime charges	6,053	5,408	5,658	5,208	5,334	5,037	5,053	4,686	5,302	5,525

### 6b Percentage<sup>2</sup> of total hate crime charges that contain individual hate crime charge or aggravation, 2011-12 to 2020-21

Year	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21
Racial	75%	75%	74%	73%	70%	67%	65%	62%	58%	59%
Religious	15%	13%	10%	11%	11%	13%	13%	11%	13%	10%
Disability	1%	3%	3%	3%	4%	4%	6%	6%	7%	8%
Sexual orientation	11%	13%	16%	16%	19%	21%	22%	25%	28%	29%
Transgender	0%	0%	0%	0%	1%	1%	1%	1%	1%	1%

<sup>2</sup> Percentages do not sum to 100% since some charges relate to more than one hate crime category

**Table 7: Hate crime charges, by sex and age<sup>3</sup> of accused**

**7a Hate crime charges reported 2020-21, by category of hate crime and sex of accused**

	Racial	Religious	Disability	Sexual orientation	Transgender identity	Total charges containing a hate crime element
Total charges reported	3,285	573	448	1,580	46	5,525
Female accused	782	55	116	280	18	1,208
Male accused	2,502	518	332	1,300	28	4,316
Female accused (%)	24%	10%	26%	18%	39%	22%
Male accused (%)	76%	90%	74%	82%	61%	78%

<sup>3</sup> Excludes charges where the sex or age of the accused was unknown

**7b Hate crime charges reported 2020-21, by category of hate crime and age of accused**

	Racial	Religious	Disability	Sexual orientation	Transgender identity	Total charges containing a hate crime element
Total charges reported	3,285	573	448	1,580	46	5,525
Under 18	250	24	14	107	7	376
18 to 20	218	28	37	123	4	382
21 to 30	811	109	153	459	15	1,433
31 to 40	890	166	131	442	8	1,522
Over 40	1,104	245	113	445	12	1,797
Under 18 (%)	8%	4%	3%	7%	15%	7%
18 to 20 (%)	7%	5%	8%	8%	9%	7%
21 to 30 (%)	25%	19%	34%	29%	33%	26%
31 to 40 (%)	27%	29%	29%	28%	17%	28%
Over 40 (%)	34%	43%	25%	28%	26%	33%

# Annex 1

## Legislation

1. Race crime is defined as any charge of racially aggravated harassment and behaviour in terms of Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 or Section 18, 19 or 23(1)a of the Public Order Act 1986 or any racial aggravation in terms of Section 96 of the Crime and Disorder Act 1998. In order to prove a charge of racially aggravated harassment and behaviour two separate sources of evidence establishing the racial element are required whereas evidence from a single source is sufficient to prove a racial aggravation which is attached to another substantive charge.
2. Religiously aggravated offences are defined as charges that include an aggravation of religiously motivated behaviour in terms of Section 74 of the Criminal Justice (Scotland) Act 2003.
3. Disability aggravated offences are defined as charges that include an aggravation of prejudice relating to disability in terms of Section 1 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009.
4. Sexual orientation aggravated offences are defined as charges that include an aggravation of prejudice relating to sexual orientation in terms of Section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009.
5. Transgender identity aggravated offences are defined as charges that include an aggravation of prejudice relating to transgender identity in terms of Section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009.

## Definitions

6. Not separately prosecuted include charges which were not prosecuted, but where other charges for the same accused within the same case were prosecuted. In some cases, the charges which were prosecuted may have included details from the charges which were not prosecuted.
7. Direct measures include fiscal fines, fiscal compensation orders, fiscal work orders, warning letters and referral to diversion from prosecution schemes. The direct measures figures include a small number of charges which were not actioned, but where the accused was given a direct measure in respect of other charges within the same case. In some cases, the charges which were given a direct measure may have included details from the charges which were not actioned.
8. No action includes charges where a decision has been taken not to proceed. This will include charges where there is insufficient evidence to proceed or where further action would be disproportionate. Table 8 below gives a breakdown of the reasons for no action in 2020-21.

9. Cases awaiting decision include those where no decision has yet been taken, and also those which have been reviewed and have been marked for “further enquiries” i.e. where more information is required before a final decision can be taken on whether to proceed.

**Table 8: Total number of charges where no action was taken, by reason, 2020-21**

	Racial	Religious	Disability	Sexual orientation	Transgender
Total number of charges – no action	98	9	13	20	1
Not a crime	3	0	1	0	0
Insufficient admissible evidence	45	8	8	11	0
Further action disproportionate	11	0	2	1	0
Mitigating circumstances	6	0	0	0	0
Other	33	1	2	8	1

## Convictions

10. The figures in this publication relate to initial decisions taken by the Procurator Fiscal. Many of the charges reported in the most recent year, 2020-21, will not yet have reached a conclusion, so information on the final number convicted is not yet available.
11. Figures on convictions for years up to 2019-20 are published by the Scottish Government [Criminal Proceedings in Scotland, 2019-20](#) . Please note that there are differences in the way the Criminal Proceedings statistics measure activity in comparison to the figures in this report. In particular, this publication is based on charges reported, while the Criminal Proceedings figures are based on persons prosecuted or convicted, by main charge. One person can be reported with one or more charges against them. Additionally, this publication is based on the year the charge was reported to COPFS. The Criminal Proceedings figures are based on the year of disposal. These differences are described in Annex C of the Criminal Proceedings publication.
12. Conviction information on aggravations is available in Tables 12 and 13 of the latest Criminal Proceedings publication. Please note that figures for race crime cover convictions with racial aggravations only and do not include racial charges. (See paragraph 1 of the Annex for the definition of race crime).

13. The date of publication for convictions for 2020-21 will be made known when finalised on the Forthcoming Publications page of the Scottish Government website <https://www2.gov.scot/Topics/Statistics/ForthcomingPubs>

## **The Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012**

14. The Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 came into force on 1 March 2012 and was repealed on 20 April 2018. Previous editions of this publication prior to the repeal provided figures on the number of charges reported under the Act. A full time series of the charges reported annually under this Act is available in the 2017-18 publication ([Hate Crime in Scotland 2017-18](#)). There are no charges recorded on the COPFS database reported under the Act after 2017-18. If a charge reported in an earlier year under the Act contained a hate crime aggravation it will still be included in the overall figures for each type of hate crime into which it falls.
15. At the time of the repeal, COPFS conducted a review of all ongoing charges under the Act and a number which were ongoing at that time were amended to an alternative charge.
16. In many cases, charges under the Act did not include an aggravation, because the charge itself covered the relevant behaviour. However, in certain subsections of the Act, the charge did not include the behaviour against specific individuals or groups covered by the hate crime categories and in these instances the charge may have been reported with an aggravation. Where a charge that would previously have been reported and prosecuted under the Act has been amended to an alternative charge, that alternative charge may now include a statutory aggravation.
17. The repeal of the Act means that there is a discontinuity in the time series of figures given in this publication between 2016-17 and 2017-18. Figures for all categories of hate crime may be higher in 2017-18 and subsequent years than they otherwise would have been due to charges that would previously have been reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 being reported as an alternative charge with an aggravation.
18. Conviction information on the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 is available in Annex E of the Criminal Proceedings in Scotland 2018-19 publication. [Criminal Proceedings in Scotland, 2018-19, Annex E](#)

## **Related Scottish Government publications**

19. The Scottish Government published a report in February 2021 [Characteristics of police recorded hate crime in Scotland](#). This provides an update on work by Scottish Government statisticians and Police Scotland to review the

availability of information on hate crime recorded by the police in Scotland. It includes information on hate crimes recorded by the police in 2019-20 by crime, by associated hate aggravation(s), and by local authority area. It also includes information on the victim, perpetrator and circumstances of the crime.

20. The Scottish Government previously published research based on COPFS data which provides details of the circumstances of charges with religious aggravations. This includes information on the religion targeted, the location where the offence was committed, and the age and gender of the accused. Research has been published relating to charges reported in each year from 2010-11 to 2017-18.
21. The Scottish Government also previously published research which provides details of the circumstances of charges reported in each year from 2012-13 to 2016-17 under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. This includes information on the location where the offence was committed including the football stadium if appropriate, the nature of the offensive behaviour, the age and gender of the accused and their football team affiliation. Due to the repeal of the Act, no similar research was published relating to charges reported in 2017-18.
22. In June 2017, the Scottish Government published its Tackling Prejudice and Building Connected Communities Action Plan, which includes actions to improve data and evidence, raise awareness and encouraging reporting. A progress report will be published later in 2021.

## Related reviews and new legislation

23. On 31 May 2018, the Right Honourable Lord Bracadale published an Independent Review Report on Hate Crime Legislation in Scotland <http://www.gov.scot/Publications/2018/05/2988> . The Scottish Government held a public consultation on Scottish hate crime legislation from 14 November 2018 to 24 February 2019. The consultation responses were considered by the government and on 23 April 2020 the [Hate Crime and Public Order \(Scotland\) Bill](#) was introduced into the Scottish Parliament. The [Hate Crime and Public Order \(Scotland\) Act 2021](#) was passed by the Scottish Parliament on 11 March 2021 and it received Royal Assent on 23 April 2021. No commencement date has been confirmed for the provisions within the Act and therefore all existing hate crime legislation remains in force.

## Data sources and data quality

24. The information in this publication is taken from the COPFS operational database used to manage the processing of reports submitted to Procurators Fiscal by the police and other reporting agencies throughout Scotland. Since this is a live database, the figures given here may not exactly match those

previously published. For instance, if the Procurator Fiscal amends a charge, the database only holds details of the amended charge.

25. Checks of charges with a disability aggravation revealed that in some cases the aggravations had not been recorded correctly. Errors identified have been corrected where possible.

26. The total number of charges relating to the hate crime category of transgender identity is small. The percentages derived from these figures should therefore be treated with caution, because they are based on small numbers.

27. Percentages may not add up to 100% due to rounding.

## **An official statistics publication for Scotland**

Official and National Statistics are produced to high professional standards set out in the Code of Practice for Official Statistics. Both undergo regular quality assurance reviews to ensure that they meet customer needs and are produced free from any political interference.

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