



Scottish Government
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Schedule of Documents

FOI reference number: 202000100671

Doc. No.	Description of information
1	<i>Cabinet Secretary for Justice's briefing to other Cabinet members regarding costs for the Hate Crime and Public Order (Scotland) Bill.</i>



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The following information relates to the Cabinet Secretary for Justice's briefing to other Cabinet members regarding costs for the Hate Crime and Public Order (Scotland) Bill.

To note, Paragraph 17 (Finance) refers to the relevant section in Annex B, Paragraphs 1-5 (Financial Implications).

Finance

17. Overall financial costs associated with this legislation are still being finalised in conjunction with the relevant justice bodies, however we anticipate that these will be relatively small. Further details are set out in Annex B. It is anticipated that the costs associated with justice bodies will be considered as part of their budget settlement during the next spending review round to align with the enactment of the Bill.

Financial Implications

1. Overall financial costs associated with this legislation are still being finalised in conjunction with the relevant justice bodies: the Crown Office, Scottish Courts, Police Scotland and Scottish Prisons, however we anticipate that these will be relatively small. In broad terms, stakeholders in the criminal justice system have informed us that this Bill will not affect a large number of crimes or offences and therefore the financial impact in relation to these aspects will be relatively small.

2. The additional aggravations and stirring up offences will result in some costs to the criminal justice system, but scenario planning that is currently underway indicates that these costs will also be minimal. Our high level estimate would see annual cost of under £400,000 per year split between: Police Scotland, the Crown Office and Procurator Fiscals Office, The Scottish Courts and Tribunal Service, the Scottish Legal Aid Board, Criminal Justice Social Work and the Scottish Prisons Service.

3. It is therefore anticipated that the costs associated with justice bodies will be considered as part of their budget settlement during the next spending review round to align with the enactment of the Bill.

4. These relatively low costs should not be taken to imply low potential impact for this piece of legislation. Hate crime legislation can provide a symbolic function, representing society's disapproval of the deliberate targeting of a particular protected group. It sends a clear message to the victim, the group of which the victim is a member, and wider society, that criminal behaviour based on bias and inequality will not be tolerated.

5. The legislation also provides a structure for consistency in sentencing and rigorous recording, allowing statistics to be kept, and trends to be identified and monitored. Clearly defined hate crime legislation supported by rigorous and effective criminal justice procedures will raise awareness of hate crime and afford victims the confidence to report it and that on doing so, it will be taken seriously by the Police and the courts.