

FOI 202400422615 – Question 1 Documents

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Please note any reference to redaction without a section reference is a redaction under s38(1)(b). For example '[redacted] <redacted@gov.scot>' has had personal information redacted – a name and email address.

Document 1 – Email sent in by a member of the public to Scottish Government – 13 March 2024

From: [redacted under s.38(1)(b) – personal data] <redacted@hotmail.com>

Sent: 13 March 2024 12:53

To: Todd M (Maree), MSP <Maree.Todd.msp@parliament.scot>; Haughey C (Clare), MSP <Clare.Haughey.msp@parliament.scot>

Subject: Re. Official Complaint - Vindictive football fan singing - Hibernian FC v Rangers FC

CAUTION: *This e-mail originated from outside of The Scottish Parliament. Do not click links or open attachments unless you recognise the sender and know the content is safe.*

Dear Ms Todd,

[redacted - out of scope]

The SNP tried its best with the Offensive Behavior at Football Act which I just cannot understand was scrapped due to idiotic political power play by James Kelly MSP, with NOTHING, absolutely NOTHING, to replace it.

[redacted- out of scope]

Yours,

[redacted under s.38(1)(b)]

Document 2 – Note of Meeting: Cabinet Secretary for Justice and Northern Ireland Executive Minister of Justice – 14 March 2024

Cabinet Secretary for Justice and Home Affairs: Note of Meeting Naomi Long MLA, Northern Ireland Executive Minister of Justice – Thursday 14 March 2024

Attendees:

Angela Constance MSP, Cabinet Secretary for Justice & Home Affairs

Naomi Long MLA, Minister of Justice

Cat Dalrymple, Interim Director of Justice

[redacted under s.38(1)(b)]

[redacted 2 items – out of scope]

Agenda item 3: Hate Crime

[redacted note – out of scope]

4. [redacted – out of scope]. Ms Constance also made reference to the now repealed Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 which, among other things, was an attempt to deal with sectarianism at football.

[redacted 1 item – out of scope]

Justice Directorate Business Support Unit

March 2024

[redacted under s38(1)(b)]

m: [redacted]

[redacted] | [First Minister](#) | [Scottish Government](#) | media enquiries (call group): [redacted] | [Media enquiries - gov.scot](#)
([www.gov.scot](#))

Document 4 – Social Research Publication List – Last updated on 10 April 2024

[Most of publication list redacted as not in scope]

Page 73

Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act (2012) in 2012-13: Amy Goulding and Ben Cavanagh, Justice Analytical Services The Scottish Government (2013) (web Only)

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Charges Reported under the Offensive Behaviour at Football & Threatening Communications (Scotland) Act 2012: Kathryn Skivington and Janine Mckenna Justice Analytical Services , The Scottish Government (2014) (Web only)

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An evaluation of Section 1 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012: The University of Stirling, ScotCen Social Research, The University of Glasgow , Niall Hamilton-Smith, Simon Anderson, Ian Simpson, David McArdle, Maureen McBride, Kay Goodall, Richard Haynes, Natalie Jago, and Joe Crawford (2015) (Web only)
Summary available: Crime and Justice Findings No. 59/2015

An evaluation of Section 6 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012: Neil Davidson – Justice Analytical Service, The Scottish Government (2015) (Web only)
Summary available: Crime and Justice Findings No. 58/2015

Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 in 2014-15: Neil Davidson - Justice Analytical Services, The Scottish Government (2015) (Web only)

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Charges under the 'Offensive Behaviour at Football and Threatening Communications (Scotland) act 2012' in 2015-16: Neil Davidson - Justice Analytical Services, The Scottish Government (2016) (Web only)

Page 81

Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 in 2016-17: Rebecca Foster and Katherine Myant - Justice Analytical Services, The Scottish Government (2017) (Web only)

Document 5 - Social Research Publications List: 2016 Onwards – Last updated on 10 April 2024

SOCIAL RESEARCH PUBLICATIONS LIST – 2016 ONWARDS

[Most of publication list redacted as not in scope]

Page 1

Charges under the 'Offensive Behaviour at Football and Threatening Communications (Scotland) act 2012' in 2015-16: Neil Davidson - Justice Analytical Services, The Scottish Government (2016) (Web only)

Page 3

Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 in 2016-17: Rebecca Foster and Katherine Myant - Justice Analytical Services, The Scottish Government (2017) (Web only)

SCOT GOV RESPONSE

A Scottish Government spokesperson said:

“Scotland is a diverse, multicultural and multi-faith society and hatred and bigotry of any kind is completely and utterly unacceptable to the vast majority of Scots. The Scottish Government is fully committed to tackling all forms of bigotry and prejudice including sectarianism.

“The Hate Crime Act helps to tackle the harm caused by hatred and prejudice and provide greater protection for people in society and communities who face hatred just because of who they are. We support Police Scotland in taking appropriate and proportionate action to safeguard public safety.”

Background

Statistics

[Hate crimes recorded by the police in Scotland, 2022-23](#)

[Police recorded hate crime – characteristics: updated study](#)

[Hate crime data - Police Scotland](#)

Hate Crime and Public Order information note and factsheet

[Hate Crime and Public Order \(Scotland\) Act: factsheet - gov.scot \(www.gov.scot\)](#)

[Hate Crime and Public Order \(Scotland\) Act 2021 General Information Note \(www.gov.scot\)](#)

The Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 was repealed in 2018.

CNN – QUERY

I'm a journalist with CNN. Please can I have a breakdown of this data?

<https://www.gov.scot/publications/updated-study-characteristics-police-recorded-hate-crime-scotland/pages/1/>

Specifically, I am looking for some further background on data about religion aggravated hate crime in Scotland, including how many incidents were reported, for a news story on sectarian incidents in football.

The story is investigating whether sectarianism crime is still an issue within Scottish football and will appear 25 May on CNN Sport. It references incidents such as Martin Boyle being stretchered off to sectarian chanting from this past March, but looks more broadly at religious bigotry within wider society.

I wanted to use some data to help illustrate the complexity of the issue, so I'm looking to reference:

- Religion aggravated hate crime
- The Offensive Behaviour at Football and Threatening Communications data

ENDS

Document 7 – Tackling Sectarianism Core Brief – last updated 16 May 2024

CORE BRIEF	
Subject:	Sectarianism
Last update:	16 May 2024
Team:	Community Safety Policy and Prevention Unit

[redacted most of brief – out of scope]

Specific issue: Sectarianism and football:

- [redacted – out of scope]
- Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill passed on 15 March 2018.

[redacted under s.38(1)(b) – personal data]

Document 8 – Draft Background Note for PQ – Drafted 21 May 2024

DRAFT BACKGROUND NOTE FOR S6W-27516, S6W-27517, S6W-27518, S6W-27519, S6W-27520

[redacted points 1-5 – out of scope]

6. Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill passed on 15 March 2018.

[redacted points 7-10 – out of scope]

[redacted under s.38(1)(b) – personal data]

**Document 9 – Public Correspondence and Scottish Government
Response on mention of Offensive Behaviour at Football and
Threatening Communications (Scotland) Act 2012 (repealed) - 21-26
June 2024**

From: [redacted under s.38(1)(b)] <redacted@gmail.com>

Sent: Friday, June 21, 2024 2:32 PM

To: Central Correspondence Unit <ceu@gov.scot>

Subject: Maree Todd visit to Germany

Good afternoon

During the Minister's visit to Germany, government accounts posted that she spoke with representatives of clubs about discrimination in football.

In discussions on the trip, or in briefings drafted for the trip, was the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 (repealed) mentioned?

Thank you

[redacted]

Response:

DIRECTORATE FOR POPULATION HEALTH

Active Scotland

T : [redacted]

E : redacted@gov.scot

[redacted]

[\[redacted\]@gmail.com](mailto:redacted@gmail.com)

Our Reference: 202400420368

26 June 2024

Dear [redacted]

Thank you for your email dated 21 June 2024 to the Scottish Government about meetings and briefings for the visit to Germany during the European Football Championships 2024 by Maree Todd, Minister for Social Care, Mental Wellbeing and Sport. As part of Active Scotland, I have been asked to reply.

I can confirm that the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 (repealed) was not mentioned in either briefings or discussions during meetings in Germany.

I hope you find this information helpful.

Yours sincerely

[redacted]

Active Scotland - Delivery

ANNEX B

2. Could you supply all documentation held by the Scottish Government, including correspondence sent and received, including internally, briefings, minutes/notes from meetings and policy documents about or mention Baillie Gifford, from the last two months?

Section 12 – Excessive cost of compliance

While our aim is to provide information whenever possible, with regards to request (2), the costs of locating, retrieving and providing the information requested would exceed the upper cost limit of £600.

The reason for this is that, following initial searches of the Government's electronic records and document management system and locally held records (e.g. personal mailboxes), 2032 documents were identified to be potentially in scope of this request. Based on the sifting of multiple samples taken from these documents, it is estimated that this FOI is expected to cost £2647.5 to cover the staff resource required to search, sift and, if required, redact in-scope documents.

Under section 12 of FOISA public authorities are not required to comply with a request for information if the authority estimates that the cost of complying would exceed the upper cost limit, which is currently set at £600 by Regulations made under section 12. You may, however, wish to consider reducing the scope of your request in order that the costs can be brought below £600.

It may help if I explain that we file our information relating to Baillie Gifford according to the subject matter, not by reference to the name of the organisation. For example, you could restrict your request as follows as this would allow us to limit the searches that would require to be conducted:

- Specify the subject matter of the correspondence/briefings you are interested in relating to the Baillie Gifford (a keyword or phrase would further help to limit the search)
- Specify a narrower scope of documents (a key type of document would help to limit the search i.e. briefings only)
- Specify a narrower period of time

You may also find it helpful to look at the Scottish Information Commissioner's 'Tips for requesting information under FOI and the EIRs' on his website at:

<http://www.itspublicknowledge.info/YourRights/Tipsforrequesters.aspx>