



Religiously Aggravated Offending in Scotland 2017-18



CRIME AND JUSTICE

Religiously Aggravated Offending in Scotland 2017-18

Justice Analytical Services, The Scottish
Government

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Executive Summary

In 2017-18, 642 charges were reported to the Crown Office and Procurator Fiscal Service of Scotland (COPFS) with a religious aggravation under section 74 of the Criminal Justice (Scotland) Act 2003. This is a decrease of 5% from the 678 charges reported in 2016-17 although the number of charges reported each year fluctuates (see Table 1 of this report).

The number of religiously aggravated charges this year will have been influenced by the repeal of the Offensive Behaviour at Football and Threatening Communications (OBFTC) (Scotland) Act 2012. This legislation came into force on 1 March 2012, and was repealed on 20 April 2018. Among other things, this legislation criminalises religious hatred that is connected to football. While in use, it may have been used instead of section 74 in certain circumstances.

Following Parliament's decision that the OBFTC Act would be repealed, revised Lord Advocate's Guidelines dated 9 March 2018 outlined that criminal offences in connection with football, which may previously have been reported using section 1 or section 6 of the 2012 Act, should be reported using alternative common law or statutory offences. Therefore, after this date, new charges which previously would have been reported under the OBFTC Act, may instead have been reported under a different offence with a religious aggravation.

In addition, COPFS conducted a review of all on-going charges under the OBFTC Act and a number which were on-going at that time will have been amended to a different offence with a religious aggravation. This means that any direct comparisons between 2017-18 and previous years should be treated with caution.

Roman Catholicism is the religion that was most often the subject of reported abuse, with 319 charges for 2017-18. This is a decrease of 17% from 384 charges in 2016-17. The proportion of charges where Roman Catholicism was the subject of abuse has also decreased since 2016-17: from 57% to 50% in 2017-18.

Protestantism and Islam are the religions that were subject to the next highest number of aggravations in 2017-18. There were 174 charges (27% of total charges) related to Protestantism in 2017-18; a small increase from 2016-17 when there were 165 charges (25%).

The number of charges where conduct was derogatory towards Islam has remained relatively stable, with 113 (17%) charges in 2016-17 and 115 (18%) charges in 2017-18. Whilst 2017-18 figures are below the peak of 2015-16, they are higher than those recorded earlier in the time series.

Charges for conduct derogatory towards Judaism was also similar to the previous year, with 23 charges in 2016-17 and 21 charges in 2017-18. The overall proportion of all charges involving derogatory conduct towards Judaism has remained the same over this period (3%).

As with previous years, Glasgow had the highest concentration of charges with 173 (27% of total charges) and the highest charges per head of population with 28 per 100,000 population.

The number of football-related section 74 charges (e.g. if the police noted the relevance of a football association within the description of the charge) has increased since 2016-17, from 72 charges to 116 charges; an increase of 61%, this is likely related to the repeal of the OBFTC Act.

In line with previous years, the vast majority of the charges (89%) relate to male accused.

Thirty-eight per cent of charges noted an accused aged 30 and under. This is a small decrease from 2016-17 and 2015-16 (each 41%) and is the lowest recorded figure since analysis was first undertaken in 2012-13.

The accused was noted to be under the influence of alcohol in 55% of charges. In 2016-17 this was noted in 52% of charges.

Police officers were the most common target for religiously aggravated abuse. In 2017-18 there were 277 charges (43%) where the police was the victim. This is a similar proportion to 2016-17, when this was 44%, but there were fewer charges in 2017-18 where police were the victim (293 charges in 2016-17).

Many cases are on-going and information about final convictions will be presented in Scottish Government 'criminal proceedings' publications¹. Provisional data shows that of the 370 concluded charges, 303 (82%) resulted in a conviction.

A monetary penalty was applied to 102 charges (34%) in 2017-18, a small increase on 2016-17. This was followed by community penalty (101 charges, 33%), figures consistent with the previous year.

¹ See: <http://www.gov.scot/Topics/Statistics/Browse/Crime-Justice/pubCriminalProceedings>

1. Introduction

This report presents information about religiously aggravated offending in Scotland in 2017-18 based on a review of police charges issued under section 74 of the Criminal Justice (Scotland) Act 2003. The Act² states that an offence is aggravated by religious prejudice if:

a) at the time of committing the offence or immediately before or after doing so, the offender evinces towards the victim (if any) of the offence malice and ill-will based on the victim's membership (or presumed membership) of a religious group, or of a social or cultural group with a perceived religious affiliation; or

b) the offence is motivated (wholly or partly) by malice and ill-will towards members of a religious group, or of a social or cultural group with a perceived religious affiliation, based on their membership of that group.

Research aims

This report presents a breakdown of the charges reported to the Crown Office and Procurator Fiscal Service (COPFS) in 2017-18 to provide insight into the nature of religiously aggravated offending in Scotland. The research sought to find out the age and sex of the accused; who the offensive conduct was directed towards; where the incidents took place; if they were related to alcohol, drugs, football, marches or parades; which religions were targeted; and the provisional court outcomes of charges.

² See: <http://www.legislation.gov.uk/asp/2003/7/section/74>

2. Method

The analysis used the same method to the previous analysis of religiously aggravated offending, carried out by the Scottish Government since 2010-11³. The analysis involved a review of COPFS case-files extracted from their case management database. The COPFS database contains information about the charges submitted to the COPFS by the police. It also includes information about the decision on whether or not to proceed with the charge, and the final outcome of the charge.

The COPFS case-management database is primarily designed for operational purposes rather than routine analysis. However extracted data-sets have been used as the source of these reports since 2010-11.

The analysis in this report is based on the religious aggravation charges that were reported to the COPFS in 2017-18. There are a number of points that should be noted when reading this report.

First, this analysis does not provide a comprehensive picture of the prevalence of religiously aggravated conduct in Scotland. This is because not all incidents of religiously aggravated offending come to the attention of the police, or because there are circumstances where the police are not practically able to charge people with an offence. The information that is reported by the police to the COPFS may also be influenced by the decisions the police have made about when and where to deploy their officers and their enforcement strategies for religiously motivated crime. The number of charges may be increased in certain circumstances, such as where extra emphasis may have been given to the detection and reporting of religiously-offensive crime.

Other data however presents different estimates of prevalence for this type of offending. Researchers for the Scottish Crime and Justice Survey (SCJS) conduct 6,000 face-to-face interviews of a randomly selected sample of adults across Scotland on an annual basis⁴. The survey asks respondents about crimes that they may have experienced in the past year. Those who are the victims of crime are asked whether they thought the incident may have been religiously motivated, or related to sectarianism. The proportion of crimes thought to be motivated by sectarianism in the SCJS is relatively low and consistent over time; it has been 1% or lower in each survey since 2009-10.

Second, religious aggravations data provide a partial account of the nature of religiously aggravated incidents reported to the COPFS. Police reports are designed to provide prosecutors with sufficient evidence to prosecute an accused person. Therefore, some reports may be inconclusive on the issues relevant to this research. It is possible that, for example, information about the nature of the

³ Previous 'Religiously Aggravated Offending in Scotland' reports are available at : <http://www.gov.scot/Publications/2017/06/6107>

⁴ This is a recent change introduced in 2016-17; the survey was previously carried out every two years with 11,500 adults taking part.

religious offence, or links to alcohol or football may be incomplete or under-reported if the police did not need to highlight these factors to prove a charge being reported to the COPFS.

Third, this study only looked at religiously aggravated offending and the religious beliefs and affiliations that were targeted. It therefore does not provide a complete account of offending aggravated by 'sectarian' prejudice. For example, many of these types of incidents may have been reported to the COPFS as racial aggravations rather than religious aggravations, depending on the nature of the conduct.

Fourth, this report does not present any information about the religious beliefs or affiliations of the people targeted by the offensive conduct. The legislation defines a religiously aggravated offence as an incident where the offender evinces towards the victim "malice and ill-will based on the victim's membership (or perceived membership) of a religious group or social or cultural group with a perceived religious affiliation", or the offence is motivated by the same. There is no available data held by Police Scotland or the COPFS on victims' membership of religious groups or of cultural groups with a perceived religious affiliation as this is not relevant to the definition of the crime in law.

Fifth, the number of religiously aggravated charges this year will have been influenced by the repeal of the Offensive Behaviour at Football and Threatening Communications (OBFTC) (Scotland) Act 2012. This legislation came into force on 1 March 2012, and was repealed on 20 April 2018. Following Parliament's decision that the OBFTC Act would be repealed, revised Lord Advocate's Guidelines dated 9 March 2018 outlined that criminal offences in connection with football, which may previously have been reported using section 1 or section 6 of OBFTCA, should be reported using alternative common law or statutory offences, with a religious aggravation if appropriate. In addition, COPFS conducted a review of all on-going charges under the OBFTC Act and a number which were on-going at that time will have been amended to a different offence with a religious aggravation. Consequently, figures for religiously aggravated hate crime may be higher in 2017-18 than they otherwise would have been.

Sixth, some of the charges from the 2017-18 financial year are on-going and information about their outcomes is not yet available.

Finally, Justice Analytical Services are publishing new information on hate-related incidents recorded by the police later this year. The development of this new report on hate related-incidents now provides an alternative way of reporting on hate crime in Scotland with a religious element and we are considering the future of this religiously aggravated offending publication. Therefore, we intend to pause this publication for 2018-19 while we discuss with our users following publication of the report on hate related incidents to understand whether this meets their needs. We will keep users informed of our plans on this.

3. Findings

Number of charges

There were 642 charges with a religious aggravation reported in 2017-18. This is a decrease of 5% from the 678 charges reported in 2016-17 but is higher than the figures for the three years prior to 2016-17. As demonstrated in Table 1, the number of charges reported each year fluctuates, and has done so over the eleven year period analysed. However, as noted below, any direct comparisons between 2017-18 and previous years should be treated with caution due to the impact of the repeal of the Offensive Behaviour at Football and Threatening Communications Act.

Table 1: Charges reported to the COPFS: 2007-08 – 2017-18⁵

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
No. charges	609	668	633	694	896	689	591	567	591	678	642

It should be noted that COPFS statistics are based on a live database and therefore the figures reported in Table 1 do not exactly match those previously published in COPFS and Scottish Government reports. The database may change; for example if the Procurator Fiscal amends a charge the database will only hold details of the amended charge. The comparisons in the remainder of this report are based on the total number of charges that were analysed and included in the past reports for 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, and 2016-17 by the Scottish Government at the time that research was carried out.

The number of religiously aggravated charges this year will have been influenced by the repeal of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. This legislation came into force on 1 March 2012, and was repealed on 20 April 2018. Among other things, this legislation criminalised religious hatred that is connected to football. While in use, it may have been used instead of section 74 in certain circumstances.

Following Parliament’s decision that the OBFTC Act would be repealed, revised Lord Advocate’s Guidelines dated 9 March 2018 outlined that criminal offences in connection with football, which may previously have been reported using section 1 or section 6 of the 2012 Act, should be reported using alternative common law or statutory offences. Therefore, after this date, new charges which previously would have been reported under the OBFTC Act, may instead have been reported under a different offence with a religious aggravation.

⁵ Data extracted 3 May 2018.

In addition, COPFS conducted a review of all on-going charges under the OBFTC Act and a number which were on-going at that time will have been amended to a different offence with a religious aggravation.

Before providing further details of these religiously aggravated charges, it is worth highlighting that these charges do not relate to 642 separate incidents. Many of the incidents which took place involved more than one accused, and/or more than one breach of the law, and will therefore have resulted in more than one charge. The bulk of the analysis in this report relates to 'charges' rather than to separate incidents that were reported by the police to the COPFS.

Details of accused

Sex and age of the accused

In 2017-18, the vast majority of the charges (89%) related to male accused, similar to previous years.

Table 2 shows the age breakdown of the accused for each of the 642 religious aggravation charges. Thirty-eight per cent of charges noted an accused aged 30 and under. This is a small decrease compared with 2016-17 and 2015-16 (each 41%) and is the lowest percentage since analysis was first undertaken in 2012-13.

Table 2: Age breakdown of the accused for each charge*

	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
Age group	No. charges	%										
<20	117	17	83	14	78	14	84	14	96	14	68	11
21-30	229	33	191	33	182	32	155	27	177	26	179	28
31-40	173	25	133	23	127	22	142	24	144	21	145	23

	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
41-50	116	17	114	19	110	19	103	18	128	19	142	22
51-60	37	5	57	10	56	10	70	12	101	15	85	13
>60	15	2	9	2	15	3	27	5	25	4	23	4
Unknown	0	0	0	0	1	0.2	0	0	2	0.3	0	0
Total	687	100	587	100	569	100	581	100	673	100	642	100

* Percentages may not add up to 100 because of rounding. Percentages of fewer than 1% have been rounded to the nearest decimal place.

Alcohol and drug-related charges

Table 3 shows that the accused was described by the police as being under the influence of alcohol in 350 charges (55% of the total) in 2017-18, compared to 351 charges (52%) in 2016-17. The finding is based on the information recorded in police reports, therefore this may under-represent the link between alcohol and the offending if there were charges where the police did not note that the accused had been drinking. It was also not possible to quantify the amount of alcohol consumed in any given case.

Drug-related charges refer to incidents where the police reported the accused as possessing drugs or where they suspected that the accused had taken drugs before the charge. In 2017-18 these accounted for 67 charges (10%), consistent with 2016-17 but higher than earlier years.

Table 3: Alcohol and drug-related charges*

	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
	No. charges	%										
Alcohol	333	48	345	59	282	50	266	46	351	52	350	55
Drugs	60	9	28	5	41	7	33	6	66	10	67	10

* Some charges may have included the influence of both alcohol and drugs, therefore charges do not always add up to the total number reported.

Details of the offence

Location of the charges

Table 4 shows the local authority area where the charges occurred. As with previous years, Glasgow had the highest concentration of charges with 173 (27% of total charges) and the highest charges per head of population with 28 per 100,000 population⁶. However, this is the lowest recorded figures for Glasgow for the time series.

Using the measure of charges per 100,000 population, Glasgow was followed by Falkirk (21 per 100,000 population), North Lanarkshire (19 per 100,000 population) and West Lothian (18 per 100,000 population).

Table 4: Local authority area where charges occurred*

Local authority	2014-15			2015-16			2016-17			2017-18		
	No. charges	%	Charges per 100k pop.	No. charges	%	Charges per 100k pop.	No. charges	%	Charges per 100k pop.	No. charges	%	Charges per 100k pop.
Aberdeen City	11	2	5	9	2	4	8	1	4	8	1	3
Aberdeenshire	-	-	-	0	0	0	0	0	0	5	0.8	2

⁶ Rates calculated using local authority mid-year 2017 population estimates. Available at: <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/population/population-estimates/mid-year-population-estimates/mid-2017>

Angus	-	-	-	7	1	6	7	1	6	-	-	-
Argyll & Bute	10	2	11	-	-	-	9	1	10	8	1	9
Clackmannanshire	0	0	0	11	2	21	-	-	-	-	-	-
Dumfries & Galloway	8	1	5	13	2	2	19	3	13	15	2	10
Dundee City	-	-	-	18	3	12	9	1	6	7	1	5
E. Ayrshire	6	1	5	11	2	9	11	2	9	12	2	10
E. Dunbartonshire	-	-	-	-	-	-	5	1	5	-	-	-
E. Lothian	-	-	-	-	-	-	-	-	-	-	-	-
E. Renfrewshire	6	1	6	-	-	-	10	1	11	8	1	8
Edinburgh City	53	9	10	55	9	11	78	12	15	67	10	13
Eilean Siar (Western Isles)	-	-	-	-	-	-	-	-	-	0	0	0
Falkirk	30	5	19	29	5	18	26	4	16	33	5	21
Fife	9	2	2	20	3	5	20	3	5	35	5	9
Glasgow City	197	35	32	176	30	29	203	30	33	173	27	28
Highland	11	2	5	5	1	2	11	2	5	10	2	4
Inverclyde	5	0.9	6	14	2	18	7	1	9	10	2	13

Midlothian	9	2	10	-	-	-	12	2	13	5	0.8	6
Moray	-	-	-	0	0	0	-	-	-	-	-	-
N. Ayrshire	13	2	10	18	3	13	26	4	19	21	3	15
N. Lanarkshire	41	7	12	52	9	15	70	10	21	65	10	19
Orkney Islands	-	-	-	0	0	0	-	-	-	0	0	0
Perth & Kinross	-	-	-	-	-	-	8	1	5	8	1	5
Renfrewshire	28	5	16	29	5	17	16	2	9	20	3	11
Scottish Borders	5	0.9	4	7	1	6	0	0	0	6	0.9	5
Shetland Islands	-	-	-	-	-	-	0	0	0	0	0	0
S. Ayrshire	9	4	8	9	2	8	7	1	6	12	2	11
S. Lanarkshire	24	2	8	28	5	9	41	6	13	50	8	16
Stirling	18	3	20	19	3	21	8	1	8	8	1	9
W. Dunbartonshire	14	2	16	8	1	9	23	3	26	13	2	15
W. Lothian	37	7	20	27	5	15	32	5	18	32	5	18
Outside Scotland	0	0	0	0	0	0	0	0	0	0	0	0
Total	568	100	11	581	100	11	673	100	9	642	100	12

* Percentages may not add up to 100 because of rounding. Breakdowns with fewer than 5 charges are suppressed and denoted by '-'. Percentages of fewer than 1% have been rounded to the nearest decimal place.

Locus of the charges

As Table 5 shows, the most common location where charges occurred is in a police car / station – 149 charges which is 23% of all charges. This is fewer than the 161 charges recorded in 2016-17 but is the third highest recorded across the time series. The proportion of charges that occurred in a police car/station (23%) was in line with 2016-17 (24%).

The next most common location where charges occurred is ‘domestic dwelling’, with 111 charges (17%). Both the number and proportion of charges occurring in a ‘domestic dwelling’ increased compared to 2016-17 when there were 84 charges (12%). Whilst the number of charges for 2017-18 (111) is the highest across the time series, the proportion (17%) is the same as in 2013-14.

In 2017-18, 85 charges (13%) occurred on ‘main street’⁷, the lowest number and proportion for the time series. A similar number (82 charges, 13%) took place in ‘other/unspecified’ locations. Such locations include shops, hotels, takeaways and any other location not provided in the list, as well as those where the location is not specified. This marks an increase on 2016-17 but both the number and proportion are similar with figures for 2014-15.

The number and proportion of charges occurring in a residential area decreased from 86 charges (13%) in 2016-17 to 40 charges (6%) in 2017-18. This is lowest number and proportion of charges since analysis started in 2012-13.

Table 5: Locus of charges * †

Locus	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
	No. charges	%										
Police car/station	159	23	113	19	109	19	107	18	161	24	149	23
Main Street	153	22	177	30	117	21	138	24	127	19	85	13
Residential area	126	18	85	14	58	10	68	12	86	13	40	6
Domestic dwelling	70	10	99	17	83	15	69	12	84	12	111	17
Football stadium	27	4	16	3	8	1	15	3	10	1	15	2
Public transport	27	4	16	3	35	6	41	7	47	7	58	9

⁷ ‘Main street’ refers to a public street in a town or city centre and is used in this report, and the previous analysis, to distinguish between these areas and residential/suburban areas.

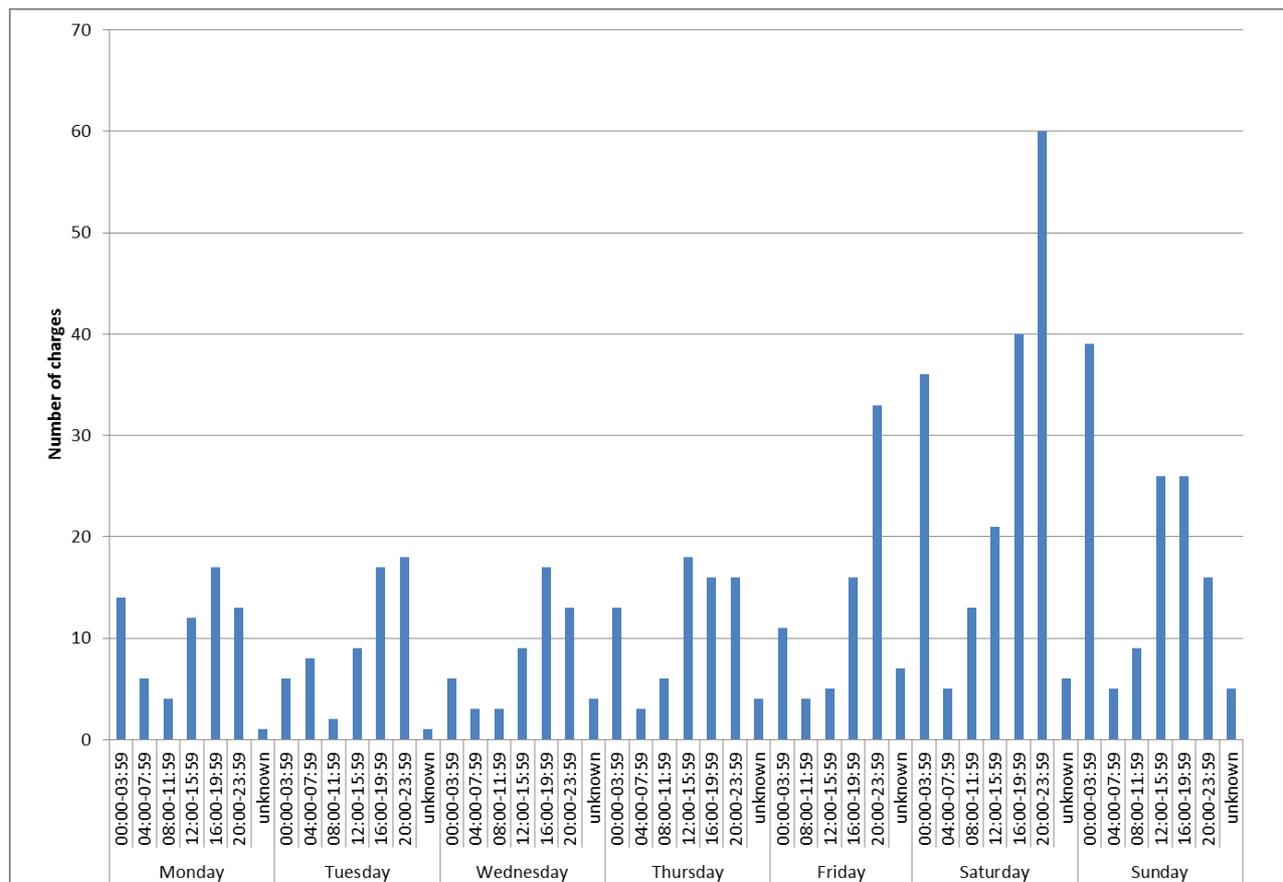
Pub/club	32	5	24	4	20	4	25	4	35	5	30	5
Hospital/ambulance	15	2	15	3	21	4	15	3	25	4	33	5
Social media	30	4	17	3	36	6	23	4	29	4	27	4
Place of worship	6	1	7	1	-	-	9	2	7	1	12	2
Other / unspecified	64	9	18	3	79	14	71	12	62	9	82	13

* Charges may not always add up to the total number reported because an incident may fall into more than one locus type. Breakdowns with fewer than 5 charges are suppressed and denoted by '-'. † Percentages may not always add to 100% due to rounding.

Timing of the charges

Chart 1 outlines the peak days of the week and times of the day that incidents took place. As with 2016-17 and previous years, there were typically spikes in religiously aggravated offending on weekday evenings and to a greater extent at weekends, particularly on Saturday nights, and the early hours of Sunday mornings.

Chart 1: Time and day of incidents*



*'unknown' relates to charges where the time of day could not be deciphered from police reports.

Football, marches and parades

The analysis included looking at the number of religious aggravation charges that were related in some way to football or marches/parades. This included, for example, if the incident took place at a football match or screening, or at a march or parade, or if the police noted the relevance of a football association within the description of the incident⁸. Again, this finding is based on the information recorded in the police reports and may under-report the links to football and marches/parades if the police did not note this.

Table 6: Charges linked to football and marches/parades

	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
	No. charges	%	No. charges	%	No. charges	%	No. charges	%	No. charges	%	No. charges	%
Football	109	16	96	16	64	11	50	9	72	11	116	18
Marches/parades	85	12	34	6	31	5	15	3	21	3	16	2

As shown in Table 6, compared to 2016-17 the number and proportion of charges that are football-related (e.g. if the police noted the relevance of a football association within the description of the charge) increased by 44 charges to 116 charges, an increase of 61%. This is the highest number for the time series and it is likely related to the repeal of the OBFTC Act.

Within the football-related charges under section 74, 15 occurred at a football stadium. The other football-related charges took place in settings such as main streets, public transport, domestic dwellings, residential areas, social media, police car/station, and pub/club.

Table 6 also shows that the number and proportion of charges related to marches and parades decreased slightly between 2016-17 and 2017-18.

Religious beliefs/affiliations that were targeted

Information about the nature of the religiously offensive conduct was taken from the police report of the incident. There is no separate section within police reports that states which religious belief, in the reporting police officer's view, was targeted. An assessment was made by analysts about the religion that appeared to be targeted, based on the police description of the incident and the details about what was said or done by the accused. The religious beliefs or affiliations of the accused or the victims of the incident are not formally recorded by the police as they are not relevant to the definition of the crime in the law. This report does not present

⁸ The 'association with football' also took into consideration language that referred to a particular football team, or relevance to football songs or regalia/symbols.

definitive information about the religious beliefs or affiliations of the people targeted by the offensive conduct.

Table 7 below shows that Roman Catholicism is the religion that was most often the subject of abuse, with 319 charges for 2017-18. This is a decrease of 17% from 384 charges in 2016-17. The proportion of charges where Roman Catholicism was the subject of abuse has also decreased since 2016-17, from 57% to 50% in 2017-18.

Protestantism is the religion that had the second highest number of aggravations in 2017-18 with 174 charges, amounting to 27% of all charges. This marks a slight increase on the 2016-17 figure, where there were 165 charges (25%).

In 2017-18 there were 115 charges (18%) related to Islam. This is similar to 2016-17 (113 charges, 17%) and is below the peak year for the time series of 2015-16, although the figures are higher than those recorded in earlier years.

Charges for conduct derogatory towards Judaism was also consistent between 2016-17 and 2017-18: 23 and 21 charges respectively. The proportion of all charges has remained the same at 3% and has ranged from 2%-4% across the years.

Table 7: Religious affiliation that was the subject of offensive conduct*

Religion targeted	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
	No. charges	%	No. charges	%	No. charges	%	No. charges	%	No. charges	%	No. charges	%
Roman Catholicism	388	56	367	63	328	58	299	51	384	57	319	50
Protestantism	199	29	169	29	145	25	141	24	165	25	174	27
Islam	80	12	48	8	71	12	134	23	113	17	115	18
Judaism	27	4	9	2	25	4	18	3	23	3	21	3
Christianity (general)	5	0.7	-	-	6	1	0	0	5	0.7	12	2
Unknown	-	-	5	0.9	9	2	0	0	6	0.9	16	2
Other	-	-	-	-	-	-	0	0	0	0	5	0.8

* Charges do not add up to the total number reported as some charges related to conduct that targeted more than one religious group. Breakdowns with fewer than 5 charges are suppressed and denoted by '-'. Percentages of fewer than 1% have been rounded to the nearest decimal place.

Details of the victims

Victims

Information about the people targeted by the religious aggravation is not separately recorded in the police report and for the purpose of this report the analysts made an assessment of the victims, based on the police description of the incident. The victim was defined as the main target for the religiously offensive part of the charge. This may have been a member of the public, police officer or other worker, or it may have been a member of the community (for example, if someone was singing a religiously offensive song that was not directed at anyone in particular). Each charge may have included multiple victim 'types'.

As is shown in Table 8, police officers were the most common target for religiously aggravated abuse. In 2017-18 there were 277 charges (43% of total) where the police was the victim. This is a similar proportion to 2016-17, when this was 44%, but there were fewer charges in 2017-18 where police were the victim (293 charges in 2016-17). These charges often relate to incidents where the police arrested the accused for a separate charge (which may not have involved religious prejudice) and were then abused in religiously offensive terms afterwards.

Members of the public were the victims in 194 charges (30% of total) in 2017-18. This is an increase from 2016-17, when members of the public were victims in 176 charges, amounting to 26% of the total. The number of charges for 2017-18 is the highest for the time series, although the proportion is the same as 2014-15.

The general community (e.g. people who happened to be in the vicinity, but were not directly targeted) were the victim in 127 charges (20%). This is a decrease from the 194 charges (29%) reported in 2016-17 and likely reflects the decline in the number of charges between 2016-17 and 2017-18 in which multiple victims were noted in the police reports and therefore coded by the researchers.

There was a small decrease in the number of charges where workers were the victim, from 107 in 2016-17 to 100 in 2017-18, but the proportion remained at 16%. The 'workers' category includes hospital staff, security staff, shop workers, taxi drivers, takeaway servers etc., in addition to religious officials.

Table 8: Victims of religious aggravation*

Victim	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
	No. charges	%										
Police	273	40	282	48	233	41	236	41	293	44	277	43
Community	231	34	155	26	205	36	111	19	194	29	127	20
Member of the public	172	25	161	27	169	30	148	25	176	26	194	30
Worker(s)	80	12	65	11	85	15	99	17	107	16	100	16
Unknown	0	0	0	0	0	0	0	0	0	0	4	0.6

* Charges do not add up to the total number of reported because some charges related to behaviour that targeted more than one victim or victim type. Percentages of fewer than 1% have been rounded to the nearest decimal place.

Main charges

Table 9 shows a breakdown of the main charges to which aggravations were added. By far the most common charge cited was ‘threatening or abusive behaviour’ (502 charges, 78% of total) and this has been the most prevalent charge year-on-year.

Comparing the figures to 2016-17, the table (over the page) shows there is not one specific charge that is driving the decrease in the total number of charges between the two years. There were small decreases in 2017-18 across all of the main charges with the exception of ‘act in a racially aggravated manner’ which increased slightly, and the proportional spread for each charge are broadly similar to 2016-17. As demonstrated by the table the figures do fluctuate somewhat across the time series.

Table 9: Main charges that the religious aggravations were added to * † §

Main charge	2013-14		2014-15		2015-16		2016-17		2017-18	
	No. charges	%								
Breach of the peace	68	12	54	10	24	4	28	4	14	2
Threatening or abusive behaviour	416	71	372	65	427	73	508	75	502	78
Assault	34	6	36	6	50	9	47	7	35	5
Offensive behaviour at football	14	2	3	0.5	13	2	15	2	10	2
Offensive communications	2	0.3	38	7	24	4	24	4	22	3
Act in a racially aggravated manner	4	0.7	34	6	18	3	21	3	30	5
Other	49	8	32	6	25	4	30	4	29	5
Total	587	100	569	100	581	100	673	100	642	100

* Percentages may not add up to 100 due to rounding. Percentages of fewer than 1% have been rounded to the nearest decimal place.

† These main charges refer to the main charges as recorded when this research was conducted; they may not be the same charges as originally reported by the police, and they may subsequently change during court proceedings.

§ The charge 'Act in a Racially Aggravated Manner' comes under the Criminal Law (Consolidation) (Scotland) Act 1995 and is intrinsically racial, however a religious aggravation may be added where appropriate.

Table 10 shows a breakdown of the main charges by the four religions that were most commonly the subject of the religiously aggravated offending. There was a broadly comparable proportional spread in the main charges for offences against Roman Catholicism and Protestantism, and this is largely similar to previous years.

Table 10: Breakdown of main charges in 2017-18*

Main charge	Catholicism		Protestantism		Islam		Judaism	
	No. charges	%	No. charges	%	No. charges	%	No. charges	%
Breach of the peace	6	2	5	3	4	3	0	0
Threatening or abusive behaviour	268	84	145	83	71	62	13	62
Assault	15	5	8	5	8	7	0	0
Offensive behaviour at football	7	2	-	-	0	0	0	0
Offensive communications	7	2	-	-	10	9	-	-
Act in a racially aggravated manner	5	2	-	-	17	15	-	-
Other	11	3	8	5	5	4	-	-
Total	319	100	174	100	115	100	21	100

* The charge 'Act in a Racially aggravated Manner' comes under the Criminal Law (Consolidation) (Scotland) Act 1995 and is intrinsically racial; however, a religious aggravation may be added where appropriate. Breakdowns with fewer than 5 charges are suppressed and denoted by '-'.

Where Islam was targeted, the number of charges of threatening or abusive behaviour increased from 56 in 2016-17 to 71 in 2017-18, and there was a corresponding increase in the proportion of charges, up from 50% to 62%. The number and proportion of charges targeting Islam that were assaults decreased

from 22 charges (19%) in 2016-17 to 8 charges (7%) in 2017-18. This follows an increase of three percentage points in the proportion of assault charges between 2015-16 and 2016-17.

For Judaism, the number of charges of threatening or abusive behaviour in 2017-18 was similar to 2016-17: 13 and 11 charges respectively.

Court proceedings

Court proceedings were commenced for 85% of charges with a religious aggravation in 2017-18 (545 out of 642 total charges)⁹. For details of charges that were concluded outside of court please see COPFS 'Hate Crime in Scotland in 2017-18'¹⁰, which provides more details on the action taken for these charges.

Both the 'Hate Crime in Scotland 2017-18' report and this report are based on the same data source- the COPFS case management database and provide information on convictions for concluded charges. The convictions information is provisional and subject to change as some charges are yet to be dealt with in the system. Latest figures, from the data extracted on 3 May 2018, show that court proceedings had been concluded for 370 of these main charges. Of these concluded charges, 303 (82%) resulted in a conviction.

Final statistics on convictions for 2017-18 will be presented in the next Scottish Government 'Criminal Proceedings in Scotland' publication¹¹. There are differences in the way the Criminal Proceedings statistics measure activity in the courts to the figures in this report. This is because Criminal Proceedings statistics only measure the main charge within a single court case. As there can be more than one charge associated with a case the charge level information in this publication is higher. There will also be timing differences since the figures in this report are based on the year of the report to the COPFS, while the Criminal Proceedings figures are based on year of disposal from the courts.

As shown in Table 11, a monetary penalty was applied to 102 charges (34%) in 2017-18, a small increase on 2016-17. This was closely followed by community penalty (101 charges, 33%). With the exception of 2016-17, monetary penalty has been the most common disposal method across the time series.

In 2017-18 custody was the disposal for 61 charges (20%) - a decrease from 83 charges and 27% in 2016-17. Other¹² disposals were recorded for the remaining 39 charges (13%), an increase on previous years. As outlined, the nature of the disposal relates to the main charge as well as to the religious aggravation.

⁹ At the time of the extraction of the data on 3 May 2018.

¹⁰ <http://www.copfs.gov.uk/publications/equality-and-diversity>

¹¹ See: <http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice/PubCriminalProceedings>

¹² 'Other' disposals in 2017-18 include admonishments, absolute discharges and restriction of liberty orders.

As Table 9 demonstrates (pg. 21), main charges vary considerably and relate to a broad range of underlying offences.

Table 11: Recorded disposals for convictions for main charge*

	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
Disposal	No. charges	%										
Monetary penalty	104	40	93	39	77	37	94	37	93	30	102	34
Community penalty	61	23	72	30	60	29	79	31	102	33	101	33
Custody	60	23	57	24	47	23	58	23	83	27	61	20
Other	37	14	16	7	22	11	20	8	29	9	39	13
Total	262	100	238	100	206	100	251	100	307	100	303	100

* Previous years' data is based on information previously published and has not been updated.



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