



Police Investigations &
Review Commissioner

Oysterman

By Email : <mailto:request-170078-559f811e@whatdotheyknow.com>]

13 May 2014

FOI 257

Dear Oysterman

FREEDOM OF INFORMATION REQUEST

Thank you for your request received by us on 25 April under the Freedom of Information (Scotland) Act 2002 (FOISA) for:

" A copy of all information that PIRC hold that details how transphobia or other hate related conduct (written-words, spoken words, actions, behaviour) is to be objectively established and if such objective establishment is necessary to establish valid fear, distress or alarm of the victim of hatred.

The PIRC has considered this as a request under the Freedom of Information (Scotland) Act 2002 ("the Act"). An application for information held by public authorities under section 1 of the Act requires that a public authority release all information held, subject to any applicable exemptions. Public authorities have twenty working days following the date of receipt of the request to respond to an applicant. We received your request on 25 April 2014 and are required to respond in accordance with FOISA no later than 23 May 2014.

I have enclosed copies of the PIRC company policies on "Bullying & Harassment" and "Equal Opportunities" which outline the company information and how we would deal with any issues relating to transphobia. In terms of the police definition, we would normally refer to the Police Standard Operating Procedure (SOPs) when reviewing a complaint to determine details which they operate under for hate crimes. We would approach the police for a copy of the SOP for each case as they occur. If you wish to obtain a copy of Police Scotland SOP you can apply through their FOI unit, who can be contacted at:

FOI Central Processing Unit
Information Management Unit
Police Scotland
173 Pitt Street
Glasgow
G2 4JS
Email: foi@scotland.pnn.police.uk

YOUR RIGHT TO REQUEST A REVIEW

You have a right under the Act to request a review of this decision. If you wish to exercise this right, you must do so within forty working days following the date of receipt of this decision. Your request for a review must be in writing and you must specify your name and address for correspondence. You must also identify the decision that you wish to be reviewed. Should you wish to request a review, please address your request to:

**Director of Corporate Services
Police Investigations & Review Commissioner
2nd Floor, Hamilton House
Caird Park
Hamilton
ML3 0QA**

Your review will be undertaken by an individual not involved in the original decision making process.

YOUR RIGHT OF APPEAL

If you are dissatisfied with the outcome of a review, you have a right under the Act to appeal to the Scottish Information Commissioner. If you wish to do so, you must appeal to the Commissioner within six months following the date of receipt of the review notice. The Commissioner's contact details are as follows:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Email: enquiries@itspublicknowledge.info
Tel: 01334 464610

Yours sincerely



Janice Carter
Policy, Performance and Research Officer