

Our Ref: IM-FOI-2022-1717
Date: 31 August 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

- **Can you tell me how many reports of thefts of heating oil from residential properties there have been each month since the start of 2021.**
- **Can you give me this information for Dumfries and Galloway; Highland and Islands; Lanarkshire; and the Lothians and Scottish Borders.**
- **I would also be interested in seeing any further details about the crimes, IE, circumstances of how they were carried out**

Having considered this question in terms of the Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, the only way to provide an accurate response to your request would be to manually examine each and every crime report in relation to several classifications of crimes of dishonesty to establish whether heating oil is listed as stolen property. This is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To illustrate, the most recent published figures show that for the 2021/22 financial year, there were 2,169 recorded crimes of common theft and 341 recorded crimes of domestic housebreaking for The Lothian & Scottish Borders Division. Unfortunately, the only way to access a description of items stolen is via each individual crime report. As such this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

You can access our published crime statistics, including by council area or Police Division via the following link: [How we are performing - Police Scotland](#)

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- **Can you give me any further information about how these crimes were resolved - IE, if they resulted in prosecution, etc.**

Police Scotland does not hold prosecution/conviction information. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

Should you require any further assistance please contact Information Management - Dundee at foidundee@scotland.police.uk quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

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