| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-1735Responded to: 09 June 2025 |
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Your recent request for information is replicated below, together with our response.

## I am writing to request information under the Freedom of Information Act 2000 relating to the handling of stalking and harassment cases by your police force. This request focuses on potential misidentification of victims, the use and misuse of Community Resolutions, and the treatment of individuals with protected characteristics under the Equality Act 2010.

## Part 1 – Misidentification and Arrest of Victims

## Between 2018 and 2024, how many individuals were:

## Arrested on suspicion of stalking or harassment.

## Later identified as the victim rather than the perpetrator.

## Of those cases, please provide any available breakdown by:

## Gender (with particular focus on women where misogyny may have played a role).

## Sexual orientation (including cases involving homophobic abuse).

## Disability or mental health conditions (e.g., bipolar disorder, schizophrenia, PTSD, autism spectrum, anxiety disorders).

## Race/ethnicity.

## Any recorded intersectional vulnerabilities, where multiple protected characteristics may be relevant.

## Of those misidentified and arrested:

## How many were detained in custody.

## How many were released without charge.

## How many resulted in no further action.

## Are there any internal reviews, case audits, guidance, or training materials regarding:

## Misidentification of victims in stalking/harassment or domestic abuse incidents.

## Mistaken arrests involving individuals with protected characteristics.

## Handling of cases involving vulnerable or marginalised individuals.

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, researching your request would require a case-by-case assessment of all stalking crime reports - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

Please note - Crimes in Scotland are recorded in accordance with the [Scottish Government Justice Department (SGJD)](https://www.gov.scot/publications/user-guide-recorded-crime-statistics-scotland-3/documents/) offence classifications. There is no Scottish crime/ offence of 'harassment' specifically.

**Part 2 – Use and Misuse of Community Resolutions (CRs)**

## Between 2018 and 2024, how many Community Resolutions were issued for:

## Stalking.

## Harassment.

## Of these, please specify how many involved individuals with the following protected characteristics:

## Mental health conditions.

## Disability.

## Gender (female-identifying individuals).

## Sexual orientation (including LGBTQ+).

## Race/ethnicity.

## In how many cases:

## Was the alleged victim not informed of the CR before it was applied?

## Was the CR applied without the victim's consent or knowledge?

## Were individuals led to believe the CR constituted mutual agreement or offered protective benefit, when that was inaccurate?

## Are there any internal reviews, complaint investigations, IOPC referrals, or safeguarding concerns documented about:

## Inappropriate or non-consensual use of Community Resolutions.

## Use of CRs in stalking or harassment cases involving vulnerable groups.

## Misleading representations of CRs to victims or those misidentified as perpetrators.

The information sought is not held by Police Scotland and section 17 of the Act therefore applies. Community resolution disposals do not extend to Scotland.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](https://www.foi.scot/appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.