| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-2875Responded to: 24 November 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## How many people have charged in each of the last five years for being drunk in public in charge of a child under the age of 10?

## How many people have charged in each of the last five years for neglecting a child in a manner likely to cause unnecessary suffering while “incapacitated through alcohol”.

Please be advised that recorded and detected crime statistics are publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

The information you are seeking is available on the Police Scotland website, via the following link: [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/) – Group1.

For the first part of your request, *drunk in charge of a child* is an offence as is *Cruelty (neglecting & causing) to & unnatural treat. of children*.  ​

There is no way to determine, for *Cruelty (neglecting & causing) to & unnatural treat. of children,* whether alcohol was a factor.

To establish the exact circumstances and the age of the children involved would require manual research of all the relevant crime reports and as there are 623 crimes recorded for 2022/23 this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

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.

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](http://www.itspublicknowledge.info/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.