

Our Ref: IM-FOI-2022-2302  
Date: 16<sup>th</sup> November 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.

### **1. The number of violent crimes reported to the force in 2022 (up to 23/10).**

**The same data from point 1, for the full calendar years of 2021, 2020, 2019 and 2018.**

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:

[How we are performing - Police Scotland](#)

### **2. The number of violent crimes reported to the force in 2022 (up to 23/10) where the suspects were under the age of 18.**

### **3. A breakdown detailing what the reported crimes were for point 2 and the known outcome of the investigation.**

**The same data from points 2 & 3 for the full calendar years of 2021, 2020, 2019 and 2018.**

## OFFICIAL

In response to these questions, 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 crime recording systems used by Police Scotland have no facility whereby the age of the accused can be easily extracted, nor is there any markers etc. available which allow for the automatic retrieval of this information.

Case by case assessment of all violent offences would have to be carried out to establish details of the Accused and determine whether they were under the age of 18 at the time of the offence.

As illustrated by our published statistics, this would involve individually examining thousands of crime reports - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

#### **4. I would also like a list of the crimes and the respective home office codes which have been included in this search.**

Please be advised that crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classification codes.

Home Office Crime Classifications do not extend to Scotland and 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.

Should you require any further assistance please contact Information Management Dundee, 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](mailto: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](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

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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.

