

Our Ref: IM-FOI-2022-0402
Date: 4th March 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. Please provide the annual number of reports or complaints of sexual assaults (including rapes) where the alleged perpetrator was a massage therapist (or masseur/masseuse) from 2018 to 2021 inclusive. Please break down the annual figure by gender and age of the victim and the gender of the perpetrator, where known.**
- 2. Please provide the annual number of offences for a) sexual assault and b) rape where the alleged perpetrator was a massage therapist (or masseur/masseuse) from 2018 to 2021 inclusive. Please break down the annual figure by outcome (charge, evidential difficulties etc.), gender and age of the victim, and the gender of the perpetrator, where known.**

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, 'occupation' of an individual is not a mandatory field on Police Scotland's crime recording systems and may only be recorded where relevant. Our crime recording systems also have no facility whereby the occupation of the accused can be easily extracted.

The only way to provide an accurate response to your request would be to individually examine all relevant Sexual Offences for the time period requested to establish the Accused's details.

As illustrated by our [published statistics](#), this would involve case by case assessment of thousands of crime reports - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

OFFICIAL

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 or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarock, 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.