

Our Ref: IM-FOI-2022-2632
Date: 20 December 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) Whether there have been any court prosecutions for FGM since 2020.
- 2) If there have not been any court prosecutions can you provide any reasons why?
- 2) Whether there have been any out of court disposals for FGM instead of court prosecutions?

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

- 3) Whether there is any evidence for the continuation, decrease/increase in the practice of FGM within Scotland since 2020

In response to this question, please see the following:

Recorded Crimes: Female Genital Mutilation offences by Division since 2017.

Police Division	2017	2018	2019	2020	2021	2022
Edinburgh	0	0	1	0	0	0
Greater Glasgow	0	0	0	1	0	0
Ayrshire	0	0	0	1	0	1
Total	0	0	1	2	0	1

Only those divisions where a relevant offence has been recorded are included in the table above.

- 4) Whether there is any evidence that individuals are coming to Scotland for the purpose of FGM?
- 5) Whether Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020 has changed the practice of FGM within Scotland ,the protection offered to victims or how the police carry out investigations and make decisions.

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In response to these questions, you may find our Child Protection Standard Operating Procedure useful.

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: <https://www.scotland.police.uk/spa-media/boxmpeao/child-protection-sop.pdf>

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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