

Our Ref: IM-FOI-2022-0346
Date: 24 February 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.

I'm seeking details on the number of stalking offences recorded and subsequent sanctions by the force annually from 1st January 2020 onwards. I'm also seeking details on the number of Stalking Protection Orders applied for, and breached, during this period.

Please could you provide the following under the Freedom of Information Act:

1. How many stalking offences were recorded during the following time periods?

- a. 1st January 2020 - 1st January 2021
- b. 2nd January 2021 - 31st January 2022

2. How many stalking sanction detections were recorded during the following time periods?

- c. 1st January 2020 - 1st January 2021
- c. 2nd January 2021 - 31st January 2022

Please be advised that crime statistics, including stalking 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"

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The information you are seeking is available on the Police Scotland website, via the following link: [How we are performing - Police Scotland](#) – Group 6

3. On how many (unique) occasions did your force apply for a Stalking Protection Order or interim Stalking Protection Order for the following time periods?

- a. 1st January 2020 - 1st January 2021
- b. 2nd January 2021 - 31st January 2022

4. On how many (unique) occasions were breaches of Stalking Protection Order or interim Stalking Protection Order recorded for the following time periods?

- a. 1st January 2020 - 1st January 2021
- b. 2nd January 2021 - 31st January 2022

The orders to which you refer are a feature of the relevant legislation in England and Wales.

There is no comparable Scottish legislation.

As such, in terms of section 17 of the Freedom of Information (Scotland) Act 2002, I can confirm that the information sought is not held by Police Scotland.

Should you require any further assistance please contact Information Management - Dundee on foi@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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