| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1953  Responded to: 25 August 2023 |
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Your recent request for information is replicated below, together with our response.

## 1) Please state how many of the following crimes were alleged to have occurred and recorded by your force as happening inside Burger King restaurants in the financial year 2022/23. Assault offences to include all assault offences: 5D - Assault with intent to cause serious harm 8N - Assault with injury 8P - Racially or religiously aggravated assault with injury 105A - Assault without injury 105B - Racially or religiously aggravated assault without injury *Please note I am only interested in assaults which occurred inside the restaurants' premises.*

## *To clarify, an assault that was recorded as having happened 'down the road from' a Burger King would not be of interest, although one that happened inside the restaurant or at least in the doorway/entrance would be.*

## 2) In addition, please state the addresses of the THREE Burger King restaurants in your police force area with the most alleged/recorded assault offences in 2022/23, stating how many occurred for each one.

## 3) Finally, please provide me with a verbatim copy of of the "investigation summary field" and/or the modus operandi (MO) for the FIVE most recent cases recorded for each of the top three Burger King locations.

Please first of all be advised that the offences listed above are Home Office codes and are not valid in Scotland.

However having considered your request in terms Scottish Offences, 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.

To explain, crimes are recorded by offence classification using Scottish Government Justice Department crime classification codes rather than by name or type of business. As a result, the only way to provide an accurate response to your request would be to read through each and every potential crime report for 2022/23 to establish if a Burger King restaurant is listed as the location of the crimes. Given the thousands of reports that would have to be researched this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

You can access our published crime statistics via the following link: [How we are performing - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/)

You may wish to submit a list of addresses which we may be able to research, however this may also have cost implications depending on how many locations and the resulting data that would require to be examined.

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.