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Our Ref: IM-FOI-2022-1491
Date: 22 July 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 would like to submit a freedom of information request on whether Police Scotland is aware of instances of intimidation, harassment, or anti-abortion protesting outside any NHS health board hospitals or clinics in Scotland and if so, details of areas and number of instances.

In researching your various requests, our main source of data would be the Police Scotland incident recording system - STORM.

To explain, when a matter is reported to the police - usually by 101 or 999 call - or otherwise comes to police attention, an incident will be logged on this system.

Incidents are categorised to an extent but I would stress first of all that there is no incident classification which would directly relate to the type of incident described in your request.

On the contrary, it is considered likely that such incidents could be recorded under a number of different categories depending on the circumstances - for example *noise, disturbance, assault, crime in progress, concern for person* etc.

As such, there is no meaningful way the incident classifications could be used as a search criteria.

Similarly, there is no facility whereby we can search based on abortion provider premises - or more generally all hospitals and clinics.

Furthermore, it is recognised that such groups can tend to congregate around the outskirts of such premises - particular larger hospitals - the junction/ road leading up to etc.

For that reason, it is considered more likely that any incidents of relevance to your request might actually be recorded *not* at the exact address of a premises but at a location in the near vicinity.

Taking all of the above into account, 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.

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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.

In terms of our section 15 duty to advise and assist applicants, I can however offer the following advice.

First of all, I note that you did not provide a time period in your request but our STORM incident recording system was only introduced nationally in February 2018.

The period prior has all of the issues outlined above but further exacerbated by the fact that data is held in eight different systems - all with different system architecture and search capabilities.

I would therefore recommend that any new search be focused on the period February 2018 to date or it will undoubtedly invoke the excess cost exemption.

I cannot stress enough that Police Scotland *do not* consider key word searches for specific words/ phrases to be an accurate means of analysis in most circumstances - *however* we do have the ability in STORM to conduct such searches.

Applicants in previous FOIs have requested data on incidents where the description includes some or all of the following words/ phrases - 'pro-life', 'pro-choice', 'abortion', 'vigil' or 'prayer' etc.

Whilst it would be nigh on impossible to come up with a list of comprehensive search terms, it is considered likely that the phrases listed above ought to capture any incidents of relevance.

That may be something you wish to consider albeit I must stress that there may well be incidents of relevance which do not include the specific phrases chosen.

You should also consider that a keyword search will undoubtedly include incidents *not relevant* to your request - for example where the keyword hit has been a mere coincidence rather than directly relevant. An individual may attend at an abortion clinic and have a handbag stolen etc.

Further, we cannot exclude hits where the search term is part of a word - and so an incident with a comment - *hospital staff have been advised to be vigilant given the recent thefts* etc would be captured.

It is also quite common for the mere presence of an anti-abortion group to be reported to the police for information purposes - not a complaint as such.

If you did decide to submit a revised request you would also have to provide a list of premises and I would suggest that you consider a specifying a boundary area around each location - for example within 100m of a smaller premises, within 300m of a larger premises etc.

Finally, you can view FOIs on this subject by searching our [FOI Disclosure Log](#) for 'pro-life'.

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Should you require any further assistance please contact Information Management 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.pnn.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.