| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-2336  Responded to: 04 August 2025 |
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Your recent request for information is replicated below, together with our response.

1. **Any advice issued to officers as to the search of other devices and/or the homes of those arrested under the Sexual Offences Act 2003 and/or Voyeurism (Offences) Act 2019 in relation to upskirting.**

There is nothing specific held in relation to the searching of devices/ homes of arrested persons accused of ‘upskirting’. As such, the information sought is not held by Police Scotland and section 17 of the Act therefore applies.

Guidance in relation to the investigation of crime more generally can be accessed online: [Standard Operating Procedures - Police Scotland](https://www.scotland.police.uk/access-to-information/policies-and-procedures/standard-operating-procedures/)

1. **The total number of those arrested for upskirting in 2023, 2024 and 2025.**
2. **The total number of those arrested for upskirting in 2023, 2024 and 2025 whose other devices were also searched**
3. **The total number of those arrested for upskirting in 2023, 2024 and 2025, whose homes were also searched**
4. **The total number of those charged with upskirting in 2023, 2024 and 2025.**
5. **The total number of those charged with upskirting in 2023, 2024 and 2025 whose other devices were also searched**
6. **The total number of those charged with upskirting in 2023, 2024 and 2025 whose homes were also searched**
7. **The number of times when the investigation of upskirting offences in 2023,2024 and 2025 has resulted in the arrested person being charged with other sexual offences.**
8. **A breakdown of the other sexual offences with which those charged with upskirting have been charged**
9. **The number of those charged with another sexual offence who had been charged with upskirting and had other devices searched.**
10. **The number of those charged with another sexual offence who had been charged with upskirting and their home searched.**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, there is no separate offence of ‘upskirting’ in Scotland.

Home Office Crime Classifications and codes do not extend to Scotland.

Crimes in Scotland are recorded in accordance with the [Scottish Government Justice Department (SGJD)](https://www.gov.scot/publications/user-guide-recorded-crime-statistics-scotland-3/documents/) offence classifications, and there is no Scottish crime classification relevant to your request.

Whilst we can provide data for the three SGJD Voyeurism classifications (which are the three different age brackets set out at sections 9, 26 and 36 of the [Sexual Offences (Scotland) Act 2009](https://www.legislation.gov.uk/asp/2009/9/section/9)) we cannot provide data on ‘upskirting’ specifically as the classification includes other behaviours.

**12. To the extent that you do not have the above information, the name of any organisation that you believe will have.**

I do not believe that any other organisation will be able to assist with your request.

As explained above, we can provide you with data for voyeurism generally, but not ‘upskirting’.

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.