

Our Ref: IM-FOI-2022-1737
Date: 2nd September 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.

Please supply details of how many members of your staff had made official complaints that they have been the victim of stalking while working for your organisation in 2022?

For each case, please outline if it refers to an allegation of stalking by a fellow member of staff or by a member of the public.

For each case, please outline what action has been taken and whether the allegation has been investigated internally or referred to a third party organisation such as the Procurator Fiscal and what the outcome of internal investigations is.

Please also provide details for the above questions for the year's 2017, 2018, 2019, 2020 and 2021.

Having considered your request in terms of the above Act, 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.

By way of explanation, the crime recording systems used by Police Scotland have no markers etc. available to indicate that the victim is a Police Officer or Police staff. The systems also have no facility whereby a search by occupation can be carried out.

As such, case by case assessment of all Stalking offences would be required to establish the details of the victim.

For the 2021/22 period alone there were over 800 crimes recorded and as such, carrying out individual assessment of these offences is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

OFFICIAL

Please also provide details as to what your internal stalking policy is and how complaints are handled internally.

Please be advised that Police Scotland does not have an 'internal stalking policy' and as such, Section 17 of the Freedom of Information (Scotland) Act 2002, has been applied. This represents a notice that the information you seek is not held by Police Scotland.

You may however be interested in the general Standard Operating Procedure for Stalking and Harassment:-

<https://www.scotland.police.uk/spa-media/bl3ph4d3/stalking-and-harassment-sop-v4.docx>

Should you require any further assistance please contact Information Management Dundee, 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.