

Our Ref: IM-FOI-2022-0623
Date: 04 April 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 looking to get a breakdown of year-on-year assaults against police officers dating from 2016 to 2021 for the North East, Highland and Islands and Western Isles regions. Can these figures please be separated by region (i.e. North East, Highland and Islands and Western Isles regions) and separated by year (i.e. 2016, 2017, 2018, etc).

Having considered your request in terms of the Act, I would first of all advise that such requests would *ordinarily* be cost prohibitive in its entirety.

To first explain, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classifications and they are not thereafter subcategorised. The relevant offence classification in Scotland is *assault of an emergency worker* which includes the offence of assaulting a police officer as set out at section 90 of the Police and Fire Reform (Scotland) Act 2012.

The classification also however includes offences under the Emergency Workers (Scotland) Act 2005, which covers other emergency service workers (NHS etc.) or a person who is assisting an emergency service worker.

Similarly, when a member of police staff is assaulted in the course of assisting an officer in their duties (a custody staff member etc.), this is also recorded under the same legislation - as are assaults against Special Constables. The classification also includes the legislation relevant to British Transport Police Officers.

The following will provide further clarification and some limited information where possible;

i) The **crime recording systems** used by Police Scotland have no facility whereby the occupation of the victim can be easily extracted and as such, each and every crime report would need to be individually examined to determine first of all whether the victim was a Police Scotland officer and, if so, the circumstances and severity of the offence.

Given all of the above, you will appreciate that it would not be possible to provide the information within the £600 cost limit set out in the Fees Regulations and 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) would apply.

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ii) A **specific study** was undertaken whereby potentially relevant crimes were analysed for the period 24 March to 30 April 2020.

The results are sub divided by Division and this exercise identified 265 crimes of assault of an emergency worker where the victim was a Police Scotland officer or staff member - 89 of which were identified to be COVID-19 related. I can confirm that the study was not extended beyond this time period.

To provide some comparison within the confines of the data captured above, analysis of the crime systems revealed that between 24 March and 30 April there were 4,944 crimes that fell into the following categories; Assaults on emergency workers, a Culpable and Reckless conduct, S38 CJLSA and Breach of the Peace, of which 648 were committed against police officers or staff.

A copy of the study is attached which provides further details.

iii) I have gone on to consider your request for information in terms of **personnel recording** held on the Police Scotland HR system - for the avoidance of doubt, the data provided below is recorded via the requirement for *officers* to complete and submit a SCoPE accident form for Health & Safety purposes in terms of an assault against them (where actual contact has been made). Accordingly, the data provided will not equate to the number of cases held on any other police system.

I must first advise that due to changes in the way data is managed we are only able to provide this information from 1st April 2019 onwards. Before this date the only possible way to accurately determine the details of an assault is to locate and interrogate all relevant Scope reports for the period requested, an exercise I would again estimate to take at least 10 minutes per report, far exceeding the cost limitations of the Act.

On that basis please find below a limited response broken down by division in Table 1, noting the following;

- For the reasons detailed above I would again caution this is a limited snapshot of the data recorded on our personnel system and may not include all recorded incidents and / or crimes of assault against Police Scotland officers.
- The response data is accurate as at 1400 hours on 01/04/2022 and has been compiled by Health and Safety Advisors and Analysis (H&S) and our Performance Department using data collated from SCoPE. These figures may change as assault reports may be waiting to be processed.
- The reporting years run from 1st April – 31st March for the years 2019/20 and 2020/21 with the exception of 2021/22 which will only include assault data up to 30th March 2022*.
- Finally, it should also be noted that the Western Isles are a subsection of N Division so the figures reported below for the Western Isles below are also included in the total reports for N Division.

Table 1: Assaults on officers recorded on SCoPE in each of the last three years* by Division / sub-division:

No. of Assaults	2019/20	2020/21	2021/22
A Division	139	214	466
N Division	83	96	173
Western Isles	5	23	25

Finally, given the timescale requested, I can also advise that *some* national statistics including 'Near Miss' forms in the context of the pandemic situation are publicly available on the Police Scotland website:

[Enforcement and response data - Police Scotland](#)

If you require further assistance or 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.