

Our Ref: IM-FOI-2022-2701
Date: 29 December 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 can you provide me electronically by email and broken down annually by calendar year from and including 2012 to the latest data available to date (12th December 2022):

- 1. Of the total recorded homicides each year, the number of victims killed by an offender/offenders the victim had previously reported to your police force for an offence in the sub group of “stalking and harassment” in the count offence classification code. This includes:**
 - a. Stalking – classification code 8Q**
 - b. Malicious Communications – classification code 8R**
 - c. Harassment – classification code 8L**
 - d. Racially or religiously aggravated harassment – classification code 8M**
 - e. Controlling or coercive behaviour – classification code 8U**

I would first of all advise you that, Police Scotland record crimes using the Scottish Government Justice Department crime classification codes and that several of the options listed do not extend to Scotland.

Notwithstanding I must advise you that if held, any such information would be contained within numerous reporting databases. Every potential report would have to be read to obtain details to ascertain if the person reported for the murder was the same person detailed on the record for any previous offending. Police systems such as iVPD, Storm, SID and crime management would need to be accessed to cross reference the details in each case. Furthermore and for clarification your request mentions “stalking” the police definition is –

“Two or more behaviours directed towards a victim which cause, are intended to cause, or where the perpetrator’s behaviour is reckless as to whether it causes, the victim to suffer fear and alarm.” ‘Fear and alarm’ is physical or psychological harm. It is also fear for your safety.

Given the potential timeframe for such reports, I am also conscious that any such reporting may predate the inception of Police Scotland on 1 April 2013, and consequently it would be extremely problematic to revisit any dataset which was a consolidation of records held by legacy divisions.

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Accordingly 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.

Should you require any further assistance please contact Information Management - Dundee at foidundee@scotland.police.uk 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.

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