

Our Ref: IM-FOI-2022-1698
Date: 31 August 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.

Could you please provide me with the number of reports received of gas and electricity theft (or gas/electricity meter fraud) in Inverclyde in years 2017, 2018, 2019, 2020, 2021 and 2022 YTD.

If possible, please indicate how many of the thefts were related to gas and how many were related to electricity. Please indicate the outcome of each report (charge, caution, etc)

In response to your request, I can first of all advise you that crimes of this type tend to be dealt with in terms of the illegal action the suspect has taken under Electricity Act 1989 or Gas Act 1986/1995 as opposed to what they haven't paid for.

An offence is committed:

If any person intentionally or by culpable negligence—

- (a) alters the register of any meter used for measuring the quantity of electricity supplied to any premises by an electricity supplier; or
- (b) prevents any such meter from duly registering the quantity of electricity supplied.

Similarly under Gas legislation:

If any person intentionally or by culpable negligence—

- (a) injures or allows to be injured any gas fitting provided by a public gas transporter or gas supplier; or any service pipe by which any premises are connected to such a transporter's main;
- (b) alters the index to any meter used for measuring the quantity of gas conveyed or supplied by such a transporter or supplier; or
- (c) prevents any such meter from duly registering the quantity of gas conveyed or supplied,

Therefore I can provide the following for the period 1 January 2017 to 31 July 2022:

Crime	2017		2018		2019		2020		2021		2022	
	Recorded	Detected	Recorded	Detected	Recorded	Detected	Recorded	Detected	Recorded	Detected	Recorded	Detected
Public utilities gas electricity etc. legislation	0	0	3	3	1	2	0	0	0	0	0	0

All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 25/8/2022.

Offences of this type may be dealt with directly by the energy supplier as many are Specialist Reporting Agencies in their own right. If this is the case and they have primacy over the investigation they may not make contact with police. Any losses incurred by the energy suppliers tend to be dealt with directly with the customer. If an offence is reported to police the cost of the “free” energy is likely to be subsumed into the offence of bypassing the meter

Could you also provide me with the number of fuel thefts reported in Inverclyde in the same years.

Having considered this question in terms of the 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 only way to provide an accurate response to your request would be to manually examine each and every crime report in relation to several classifications of crimes of dishonesty to establish whether fuel in varying forms is listed as stolen property. This is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To illustrate, the most recent published figures show that for the 2021/22 financial year, there were 284 recorded crimes of common theft for the Inverclyde Council Area. Unfortunately, the only way to access a description of items stolen is via each individual crime report. As such this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

You can access our published crime statistics, including by council area or Police Division via the following link: [How we are performing - Police Scotland](#)

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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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