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Our Ref: IM-FOI-2022-1562
Date: 23 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.

I am looking to find out how many Section 1 Sexual Offences (Scotland) Act 2009 offences (rape) are recorded in D Division (Tayside) which were committed in the year 2020 and thereafter of these in how many of them was the victims appointed Sexual Offence Liason Officer also used as the arresting and interviewing officer for the suspect.

In response to the first part of your request, I can advise that within D division, 121 crimes of rape have been recorded as taking place within the year 2020.

With regards to the second part of your request regrettably I must advise 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, there is no straightforward method to extract the information you require. When a crime of rape is reported to Police Scotland it is requirement that a statement is taken from the victim by a Sexual Offence Liaison Officer (SOLO). However in order to determine if the same SOLO was the arresting and interviewing officer for the suspect, each report would need to be manually examined to determine the information required.

These enquiries, by their nature, involve lengthy and complex crime reports. I can advise that a conservative estimate is that it would take an average of 30 minutes per record to fully examine each of the 121 records and extract the information required. This equates to over 60 work hours. This is an exercise that greatly exceeds the cost threshold set out within the Act.

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Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

Should you require any further assistance please contact Information Management 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.