| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-1268Responded to: 06 June 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## I would like to request the following information from;

## 1st January 2020 through to 31st December 2020 inclusive

## 1st January 2021 through to 31st December 2021 inclusive

## 1st January 2022 through to 31st December 2022 inclusive.

## The number of wildlife crimes your force has investigated during these dates?

Please be advised that recorded and detected crime statistics are publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

The information you are seeking is available on the Police Scotland website, via the following link: [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/) (group 6, beginning with 51, 56 and 57 in this list) [Recorded crime in Scotland: classification of crimes and offences - gov.scot (www.gov.scot)](https://www.gov.scot/publications/recorded-crime-scotland-classification-crimes-offences/)​.

Please be advised that the remainder of the financial year data for 2022/23 and the years from 2013 are due to be included in the next publication.

Therefore, I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 27(1) of the Act - information otherwise accessible:

*“Information is exempt information if it is held with a view to its being published […] at a date not later than twelve weeks after that on which the request for the information is made.”*

## During the time frames, how many of these crimes relate to the act of poaching:

## Deer, Hare

## During the time frames, how many crimes involved the illegal killing /persecution of Raptors / birds of prey?

## What species of bird of prey have been investigated as being killed?

## During these time frames, how many crimes involved other birds, and what species of bird were involved?

## I would like you to provide this information in email format, giving the date, the type of crime, either poaching or Raptor persecution / illegal killing. The type of animal or bird, if the suspect was convicted and what the sentence or was consisted of, and the fine or sentence issued

Having considered these questions 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 relevant crime report to establish the specifics in your request. There are no relevant markers which allow the automatic retrieval of this level of information. As such this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

## Did the crime result in a conviction, if so, what was the resulting fine or sentence for that conviction?

Police Scotland does not hold conviction information. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.