

Our Ref: IM-FOI-2022-0947
Date: 17th May 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.

The total number of recorded offences of Cruelty (neglecting & causing) to & unnatural treatment of children for the periods 1 April 2019 to 31 March 2020, 1 April 2020 to 31 March 2021, and 1 April 2021 to 31 March 2022.

Please be advised that statistics regarding Cruelty (Neglecting & Causing) to & unnatural treatment of children 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 Sections 25(1) & 27(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”

“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”

The information you are seeking is available on the Police Scotland website, via the following link:

[How we are performing - Police Scotland](#)

Please note that this data is updated every 3 months and currently covers up December 2021 however more up-to-date information is due to be published shortly.

The total number of victims broken down by gender and age group, if possible.

In response to this question, 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 crime recording systems used by Police Scotland have no facility whereby the age and gender of the victim can be easily extracted.

The only possible way to establish the details of the victim is to carry out case by case assessment of all relevant crime reports.

As illustrated by the published statistics, up to December 2021 there are already more than 1,500 crimes which would each require individual assessment. As such, this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

Should you require any further assistance please contact Information Management Dundee, 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.