| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-1118Responded to: 12 May 2023 |
| --- | --- |

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

## Total number of arrests for not having valid insurance in 2022

In 2018, the Criminal Justice (Scotland) Act 2016 removed the separate concepts of arrest and detention and replaced them with a power of arrest without warrant - where there are reasonable grounds for suspecting a person has committed, or is committing, an offence.

When a person is arrested, a statement of arrest should be read over as soon as reasonably practical and details recorded in the arresting officer’s notebook.

A person is ‘Not Officially Accused’ (a suspect) when arrested *and* *not* cautioned and charged. They are ‘Officially Accused’ once arrested *and* cautioned and charged.

If conveyed to a police station, the arrested person (of either classification) will have their details recorded in the Police Scotland National Custody System.

The Act however also provides for certain situations whereby a person must be released from police custody prior to their arrival at a police station - effectively allowing the police to ‘de-arrest’ that person where the reasonable grounds for suspicion no longer exist.

In those circumstances, the details of an arrested person are not held electronically.

As a result, we are unfortunately unable to collate comprehensivearrest data as case by case assessment of all officer notebooks would be required - in addition to the partialarrest data held in the National Custody System**.**

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.

If you would be interested in data regarding individuals arrested *and* brought into police custody then please let us know.

For the reasons outlined above, Police Scotland instead, typically produce data based on recorded and detected crimes, broken down by Scottish Government Justice Department (SGJD) classification:

[Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/)

## Total number of convictions for not having valid insurance in 2022

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

## Total number of cars impounded for being driven without valid insurance in 2022

## All of the above for 2021 (so we can see if there has been a rise or fall in numbers)

## I can advise you of the following information with regard to seized cars:

2022: 5412

2021: 6747

## Road rage incidents reported in 2022 and 2021

There is no specific offence or incident classification of road rage. 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.

## Car theft incidents reported in 2022 and 2021, including information on car type/model

Having considered this request 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, Police Scotland record crimes using the Scottish Government Justice Department crime classification codes. In this case, the classification would be Theft of a Motor Vehicle or when a vehicle is stolen during a break in, Housebreaking Therefore the only way to provide an accurate response to your request would be to manually examine each and every one of the relevant crime reports to establish what type/ make/model of vehicle was involved.

Unfortunately, whilst information regarding the type of vehicle stolen is recorded in each case, the only way to access this data is via each individual crime report. Therefore given the volume of reports this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

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.