

Our Ref: IM-FOI-2022-2102
Date: 01 November 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.

How many shootings have occurred within the last three years? Please break down the figures for each of the last three full calendar years (2019, 2020 and 2021).

How many shootings have occurred within the last three years where the gun was not recovered (to the date this request is received)? Please break down the figures for each shooting in the last three full calendar years (2019, 2020 and 2021).

How many shootings have occurred within the last three years which led to a suspect being charged? Please break down the figures for each of the last three calendar years (2019, 2020 and 2021).

For clarification, shootings refer to all firearm discharges. Please exclude all air weapons from figures.

Please be advised that statistics regarding firearms offences up to 2019/20 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, via the following link:

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[Crime and offences involving firearms statistics - gov.scot \(www.gov.scot\)](http://www.gov.scot)

The statistics for 2020/21 are due to be published in the next 12 weeks. As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am again refusing to provide you with the information sought.

I can confirm that Police Scotland holds the information requested.

The exemptions I consider to be applicable are set out at Section 25(1) of the Act - Information Otherwise Accessible and Section 27(1) of the Act - Information Intended for Future Publication.

Crimes in Scotland are recorded in accordance with the Scottish Government Justice Department (SGJD) offence classification codes. For data beyond what we have detailed above, the research involved is extensive due to the way in which crimes are recorded – there is no category for ‘shooting’. We would have to read through each and every report for example of murder/ attempted murder to check if a firearm was involved. An exercise which I estimate would far exceed the cost limit set out in the Fees Regulations. 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.

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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