

Our Ref: IM-FOI-2022-1544
Date: 5th 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.

1: The total number of cyberstalking incidents recorded per calendar year from 2017 to 2021. Please provide an annual breakdown. If you can get 2022 data, can we have a breakdown of the first 6 months? For clarification, if you can use the 'online' tag and these offences:

**Stalking
Harassment
Malicious communications
Controlling and coercive behaviour**

2: Where possible, provide detail on each recorded incident (e.g harassment, stalking, stalking involving serious alarm/distress). For clarification, if you can give detail on offence type e.g. harassment. If you can get 2022 data, can we have a breakdown of the first 6 months? Please provide annual breakdown as per Q1

3: The number of cyberstalking incidents in which the perpetrator(s) is identified, per calendar year from 2017 to 2021. If you can get 2022 data, can we have a breakdown of the first 6 months? Please provide annual breakdown as per Q1

4: The number of individuals that have reported cyberstalking offences to your police force, per calendar year from 2017 to 2021. If you can get 2022 data, can we have a breakdown of the first 6 months? Please provide annual breakdown as per Q1

5: Please provide details relating to the outcome of the perpetrator referenced in Q3 (e.g charge, caution, fixed penalty, resolution). This information should be broken down per calendar year from 2017 to 2021 as per Q1. If you can get 2022 data, can we have a breakdown of the first 6 months?

6. Breakdown of towns and cities data for all questions. I know not all the police forces have cities so please breakdown into towns if this is the case.

7. Breakdown of age and gender for all questions.

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In response to these questions, 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, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classification codes and are not thereafter sub-categorised.

In this instance, there is no separate classification for 'cyberstalking' and any such offences would be recorded under the more general classification 'Stalking'.

The crime recording systems used by Police Scotland have no facility which would allow for any Stalking offences which involved an element of 'cyberstalking' to be automatically identified.

The only way to determine whether an offence was relevant to your request, would be to carry out case by case assessment of all Stalking offences to establish the circumstances.

Recorded and Detected crime statistics are published on the Police Scotland [website](#), and as illustrated, there are a vast number of offences which would require to be individually examined. 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.

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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.