

Our Ref: IM-FOI-2022-2276
Date: 21 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.

1. The minutes of any meetings with councils relating to Anti-social behaviour in the North East and Highlands and Islands in the past three years.

I must advise you that Police Service of Scotland does not hold any of the information requested by you. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation any such information, where it exists, would be held by the relevant local authority. For clarity, these are not Police Scotland minutes and responsibility sits legislatively with the scrutiny boards and their support functions.

As you may be aware there are Area Committees in Local Authorities which will often have local Police representation - however any minutes would remain their responsibility.

To assist, where publicly available, these may be accessed via the links below.

- Aberdeen City (*this board changed to the first option only in October 2022 but all the preceding meetings are found at the second option*):

[Committee details - Communities, Housing and Public Protection Committee \(aberdeencity.gov.uk\)](https://www.aberdeencity.gov.uk/committees)

[Browse meetings - Public Protection Committee \(aberdeencity.gov.uk\)](https://www.aberdeencity.gov.uk/committees)

- Aberdeenshire:

<https://committees.aberdeenshire.gov.uk/committees.aspx?commid=493>

- Moray:

http://www.moray.gov.uk/moray_standard/page_85457.html

- Highland & Islands:

[Communities and Place Committee | The Highland Council](https://www.highland.gov.uk/committees)

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Alternatively, you may wish to approach the relevant councils for further information via the links below:

[FOI Aberdeen City Council](#)

[FOI Aberdeen-shire Council](#)

[FOI Moray Council.](#)

[FOI Highland Council](#)

Please note that police performance reports which detail Antisocial Behaviour (ASB) may be included in council information where they relate to ASB over the period.

To assist, all performance report statistics regarding the incidence of ASB in the Highland and the North East Divisions are available online via the Police Scotland website in the 'Division' and more detailed 'Council Area' level reports:

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

2. Any information from all reports, correspondence or communications relating to the crime assessment policy of Police Scotland in regard to anti-social behaviour (to help answer questions like, if the police had to watch multiple hours of CCTV to investigate minor anti-social behaviour when would they judge this to be a waste of their time?)

3. Any information from all reports, correspondence or communications relating to the decisions regarding the police's response to anti-social behaviour in the North East and Highlands and Islands in the past three years.

For ease, questions 2 and 3 have been answered together:

I can first advise you that the Scottish Crime Recording Standard provides information regarding how the Police assess and record crime, including ASB. It is maintained and developed by the Scottish Crime Recording Board and is found here:

[Scottish crime recording standard: crime recording and counting rules - gov.scot \(www.gov.scot\)](#)

Local Police Plans outline both North East and Highland Divisions policing priorities and response at three year junctures.

One of the current priorities being ASB, Violence and Disorder - the current plan is for 2020-2023 and is publicly available via the links below:

[North East Division - Police Scotland](#)

[Highland and Islands Division - Police Scotland](#)

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The plans for 2023-2026 are currently in draft and out for public consultation at the following location - again you will see that ASB, Violence and Disorder is a policing priority.

[Local Police Plans 2023-2026 - Police Scotland - Citizen Space](#)

Notwithstanding what can be accessed via the links provided, I regret to inform you that I am unable to provide you with the documents 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.

To provide some explanation, the scope of the request is problematic as any such documentation would not be held centrally nor in an easily retrievable format.

I have gone on to consider whether there is any way in which we could offer advice as to how the scope of your request could be restricted but unfortunately on this occasion there is no simple answer.

Any tactical or operational reports contain personal details (such as people's names and addresses) and you will likely be aware that all personal data is protected by privacy laws. Consequently, there would be a requirement to manually assess and redact all documents - this would be hugely time consuming and undoubtedly far exceed the cost limitations of the Act. It is also uncertain whether the remaining text would still be meaningful as it's almost certain that some of the remaining information would also be considered exempt in terms of Law Enforcement - Sect 35 (a) and (b).

Turning to whether we could limit our search to just 'correspondence', I must advise you that extensive efforts in the past to retrieve emails by keyword have made it clear that whilst we do have the facility to conduct a keyword search, we do not have the facility to limit this to a particular date range or e.g. within the very specific context of your request.

Should you require any further assistance please contact Information Management 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.pnn.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.

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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.

Finally, in general terms the Scottish Crime Recording Standard provides information regarding how the Police assess and record crime, including Anti-social Behaviour. It is maintained and developed by the Scottish Crime Recording Board and is found here:

[Scottish crime recording standard: crime recording and counting rules - gov.scot \(www.gov.scot\)](http://www.gov.scot)

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