| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0831  Responded to: 06 May 2024 |
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Your recent request for information is replicated below, together with our response.

## How many incidents of public sexual activity were reported in the area covered by Police Scotland in 2023?

Which you have since clarified as:

## The number of recorded offences of public sex under each of the following: section 5 of the Public Order Act 1986, section 66 of the Sexual Offences Act 2003, or the common law offence of outraging public decency for the year of 2023.

## The number of recorded offences of sexual activity in a public lavatory under section 71 of the Sexual Offences Act 2003 for the year of 2023.

In response to your question, please note that we report on Scottish Government Justice (SGJD) Classifications when recording crime and with respect to the clarification you have provided, we believe the SGJD codes below relate best to your request.

| **Crime** | **January** | **February** | **March** | **April** | **May** | **June** | **July** | **August** | **September** | **October** | **November** | **December** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Coercing a person into being present/ looking at sexual activity | 71 | 90 | 93 | 98 | 95 | 89 | 91 | 85 | 88 | 90 | 83 | 76 |
| Cause to be Present Sex Act/To Look at Sex Image - M&F (< 13) | 33 | 23 | 30 | 31 | 37 | 30 | 15 | 22 | 20 | 23 | 21 | 27 |
| Sex. Exposure - M&F (< 13) | 2 | 3 | 3 | 6 | 2 | 4 | 4 | 2 | 4 | 5 | 11 | 4 |
| Cause to be Pres Sex Act/Look at Sex Image - M&F(13-15)(Cons) | 11 | 10 | 19 | 21 | 20 | 23 | 11 | 15 | 17 | 11 | 29 | 16 |
| Sex. Exposure - M&F (13-15) | 1 | 1 | 7 | 3 | 2 | 4 | 2 | 1 | 2 | 2 | 10 | 2 |
| Public indecency | 8 | 11 | 7 | 16 | 13 | 19 | 21 | 20 | 9 | 13 | 8 | 13 |
| Sexual exposure | 18 | 29 | 35 | 48 | 34 | 42 | 33 | 32 | 40 | 37 | 26 | 32 |
| **Total** | **144** | **167** | **194** | **223** | **203** | **211** | **177** | **177** | **180** | **181** | **188** | **170** |

## The number of recorded offences of sexual activity in a public lavatory under section 71 of the Sexual Offences Act 2003 for the year of 2023.

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance. To explain, we are unable to search for crimes based on locus (public lavatory), for us to obtain this information we would need to do a manual search of each relevant crime to confirm if it took place in a public lavatory therefore, I estimate this would cost well over the threshold set out within the act.

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.