

Our Ref: IM-FOI-2022-1097  
Date: 08 June 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.

**In the last 10 years (01/01/2012 – 12/01/2022):**

**1. How many incidents did your police force record which have an opening code of 'Rape' or 'Sexual offense', where the alleged victim/s were recorded as being under 18 years of age at the time of the alleged offence, and where either the alleged victim and/or perpetrator were recorded as being connected to/a member of the Jehovah's Witness religion / organisation?**

Having considered this question 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, the only way to provide an accurate response to your request would be to manually examine each and every relevant crime report to establish the age of the complainer and whether a religion was stated. Given the thousands of reports this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

You can access our published crime statistics via the following link: [How we are performing - Police Scotland](#)

**Some forces have also found it helpful search their crime reporting system by bringing up all incidents which have an opening code of 'rape' or 'sexual offence', where the victim/s are recorded as being under 18, and where the words/phrases "Jehovah", "Jehovah's Witness", "Jehovah Witness" and/or "Kingdom Hall" appear anywhere in the free text fields within the reports. This is just a suggestion, do not feel restricted to only carrying out this search.**

I can advise you that Police Scotland are unable to carry out keyword searches with regard to crime reports.

**2. Of these incidents, say how many have the current outcome of:**

- 2.a. No further action**
- 2.b. Ongoing investigation**
- 2.c. Charged and awaiting trial**
- 2.d. Convicted**
- 2.e. Not convicted**
- 2.f. Other - please state.**

**3. Of these incidents which have a 'no further action' outcome, please list the reasons why, e.g. 'evidential difficulties prevent further action - police decision' or 'evidential difficulties prevent further action - victim does not support police action' or 'suspect identified but prosecution time limit expired'**

In response to these questions, I can advise you these are Home Office classifications which are not used in Scotland. Offences are recorded in Scotland as being recorded/ detected. 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.

Should you require any further assistance please contact Information Management - Dundee at [foi@scotland.police.uk](mailto:foi@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](mailto: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](mailto: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.