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Our Ref: IM-FOI-2022-0600
Date: 6th April 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.

a) I would like a copy of all communications from 1st December 2020-present regarding the Toolkit for Student Sex Workers associated with the University of Leicester. This should include, but not be limited to, communications between Police Scotland and:

- 1. The Scottish Government;**
- 2. The National Police Chiefs' Council;**
- 3. The Cross-Party Group on Commercial Sexual Exploitation;**
- 4. Any Scottish University or collective body of Scottish universities;**
- 5. The National Union of Students & NUS Scotland;**
- 6. The authors of the Toolkit;**
- 7. Any sex-worker led organisation such as Umbrella Lane or National Ugly Mugs.**

In respect of the email aspect of communications, 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, we have previously attempted to conduct similar keyword searches to the one that would be required to search for emails containing the phrases "Toolkit" or "Student Sex Workers".

Despite extensive efforts to retrieve these emails requested it has become 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.

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This means that any mention of “Toolkit” or “Student Sex Workers” on any date will be returned. These are returned as individual full mailbox archive files for each mailbox that contains this keyword.

Once these archives are retrieved, a manual process is required to confirm which emails within each file contain the keyword required, which date it was sent or received on and finally if it was between Police Scotland and any of the organisations named in point 1 to 7 of your request. This is further complicated by the fact that we will simply know there is at least one email within the mailbox archive that contains the keyword. There could be 1 or 100 and so each email would need to be manually checked.

During previous similar keyword requests we have conducted a rough estimate using one of our divisions (A Division) which accounts for a bit over 1,300 mailboxes. It is estimated that 100-200 of these may contain the keywords requested. If this is extrapolated across our other divisions this would give us a rough estimate of 2,400 to 3,600 mailbox files to review but it is expected this number may be higher due to the relative size of some of our divisions.

At an average estimate of 30 minutes to check each mailbox file concerned, this equates to around 1,200 to 1,800 hours of work to complete.

This is before we consider a review of all correspondence held by Police Scotland which would again require a degree of manual searching. It is likely a full check of all documents held by the force would add thousands of additional hours to the time it would take to comply with the request.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and that your request would breach the cost threshold.

In order to be of assistance, you may wish to consider reducing the scope of your request to a group of mailboxes or staff which may allow it to be progressed.

b) Please provide me with Police Scotland's current position regarding proposed legislation on sex work and general debates on different legal frameworks on sex work.

Police Scotland is committed to improving the safety and well-being of people, localities and communities and where appropriate, will work in collaboration with partners to achieve this. In line with supporting and creating partnerships it is essential that efforts are made to minimise the impact of prostitution by reducing the risk and harm experienced by individuals engaged in this activity.

Police Scotland's position when dealing with prostitution is to minimise the impact of prostitution through the reduction and elimination of the harm experienced by individuals engaged in this activity. Police Scotland's response to prostitution is supported by existing legislation and the Lord Advocate's guidelines. In addition, Police Scotland will investigate those who abuse, exploit or coerce and disrupt organised criminal activity associated with prostitution and bring offenders to justice.

Police Scotland also have a statutory duty to uphold the law as defined within the Police & Fire Reform Act 2012.

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With regard to your specific question, any changes to legislation are entirely a matter for elected representatives in parliament. Police Scotland's role is to fulfil our statutory duty to enforce the law and uphold the fundamental human rights afforded to the population that are enacted by parliament. Police Scotland therefore remains impartial to decisions on legislative change.

c) Please provide me with a copy of all communication on the topic of sex work generally between Police Scotland and the Scottish Government since 1st January 2020.

Please refer to the response to question a) of your request. The same difficulties and exemption applies.

d) Please identify all officers within the force who lead on the issue of sex work, including commercial sexual exploitation, for Police Scotland.

Detective Chief Superintendent Samantha Faulds is the head of Public Protection for Police Scotland.

Detective Superintendent Filippo Capaldi is the head of Sexual Crime, Prostitution and Human Trafficking.

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.

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.