

Our Ref: IM-FOI-2022-0800  
Date: 27<sup>th</sup> 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.

**I'm looking to get a breakdown of separate figures for assaults on shop workers and supermarket workers in the North East, Highlands and Islands and the Western Isles.**

**I'd also appreciate a separate breakdown for assaults on shop workers and supermarket workers for the two major cities of Aberdeen and Inverness.**

**Could I please have the figures separated by area (North East, Highlands and Islands, the Western Isles, Aberdeen City and Inverness City) and by month from January 1st 2019 to March 31 2022?**

Having considered your request, I must first of all advise you that the Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Act 2021 came into effect on 24th August 2021.

As such, for the period prior to 24<sup>th</sup> August 2021, 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, prior to August 2021, any such instance would be recorded as 'Assault' and the only way to establish whether the victim was a 'shop worker' would be to individually examine each and every crime report.

The crime recording systems used by Police Scotland have no facility whereby the occupation of the complainer can be easily extracted nor is there a facility which allows for a search to be carried out based on the complainer's occupation.

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As illustrated by our [published statistics](#), thousands of crime reports from 2019 to August 2021 would require case by case assessment - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

The table below however, provides the number of recorded Assault of Retail Worker offences, from 1<sup>st</sup> August 2021 – 31<sup>st</sup> March 2022, broken down by Council Area:-

Council Area	Offence	2021	2022
Aberdeen City	Serious assault of a retail worker	1	0
	Common assault of a retail worker	28	37
Aberdeenshire	Serious assault of a retail worker	0	0
	Common assault of a retail worker	2	5
Moray	Serious assault of a retail worker	0	0
	Common assault of a retail worker	1	3
Highland	Serious assault of a retail worker	0	1
	Common assault of a retail worker	7	5
<b>Total</b>		<b>39</b>	<b>51</b>

*All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 8th April 2022.*

*The Recorded Crimes are extracted using the Date Raised, and then selecting the Stats Class Codes '100403' and '604712'.*

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](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.

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