| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1235  Responded to: 6th June 2024 |
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Your recent request for information is replicated below, together with our response.

## How many people were arrested for stalking each year from 2018-2024 (please breakdown by male and female)?

The Criminal Justice (Scotland) Act 2016 removed the separate concepts of arrest and detention and replaced them with a power of arrest without warrant - where there are reasonable grounds for suspecting a person has committed, or is committing, an offence.

When a person is arrested, a statement of arrest should be read over as soon as reasonably practicable and details recorded in the arresting officer’s notebook.

A person is ‘Not Officially Accused’ (a suspect) when arrested *and* *not* cautioned and charged. They are ‘Officially Accused’ once arrested *and* cautioned and charged.

If conveyed to a police station, the arrested person will have their details recorded in our National Custody System.

There are situations however whereby a person must be released from police custody prior to their arrival at a police station - effectively they are ‘de-arrested’ - where the reasonable grounds for suspicion no longer exist. In those circumstances, the details of an arrested person are not held electronically.

As a result, we are unfortunately unable to collate comprehensivearrest data, as case by case assessment of all officer notebooks would be required - in addition to the partialarrest data held in the National Custody System.

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request and I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

If you would be interested in data regarding only those individuals arrested *and brought into police custody,* we may be able to provide some data.

For the reasons outlined above, Police Scotland do not routinely or otherwise collate data on ‘arrests’.

Instead, data is compiled and published based on recorded and detected crimes - [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/).

## How many people were charged for stalking each year from 2018 - 2024 (please breakdown by male and female)?

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) - Excessive Cost of Compliance.

By way of explanation, the only way to provide you with this information in an accurate and consistent manner would be to individually examine every detected crime report to establish whether or not the individual was charged with the offence and their recorded gender.

To be of assistance however, the table below details all recorded and detected stalking offences.

Detected crimes are those where an accused has been identified and there exists a sufficiency of evidence under Scots Law to justify consideration of criminal proceedings.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Stalking Offences** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** | **2024** |
| Recorded | 1231 | 1003 | 935 | 847 | 810 | 856 | 318 |
| Detected | 1019 | 763 | 775 | 669 | 681 | 686 | 278 |

2014 data is for the period 1 January to 23 May 2024  
Data are provisional and should be treated as management information.   
Data was extracted from Police Scotland systems and are correct as at 23/05/2024.  
The Recorded Crimes are extracted using the Date Raised.   
The Detected Crimes are extracted using the Date Detected.  
Crimes with SGJD code '604709' (stalking offences) were selected.

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.