

Our Ref: IM-FOI-2022-1836  
Date: 20<sup>th</sup> September 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.

### For 2021 and for the last 10 years

#### 1. Number of cases you have recorded as under the overall heading of 'Fraud'.

Please be advised that statistics regarding Fraud offences are publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

- (a) states that it holds the information,
- (b) states that it is claiming an exemption,
- (c) specifies the exemption in question and
- (d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*"Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information"*

The information you are seeking is available on the Police Scotland website, via the following link:

[How we are performing - Police Scotland](#)

Older statistics can be found on the Scottish Government website, via the below link:-

[statistics.gov.scot](https://statistics.gov.scot) : [Recorded Crimes and Offences](#)

**7. Average time in days cases remained open or 'under investigation' prior to being closed for any reason.**

Crimes in Scotland are not ever marked as 'closed', but are 'recorded' and '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.

**2. Number of cases per point 1 where a conviction has been recorded.**

**3. Number of cases per point 1 referred to the CPS.**

**4. How many of the cases in 1 identified a male perpetrator, a female perpetrator, cases where the gender identified was not as assigned at birth, and the number where gender could not be identified.**

**5. The age demographics of the victims by ONS standard ten year age grouping.**

**6. Top three reasons CPS rejected the case.**

**8. Average time in days of the cases which led to a conviction being closed.**

**9. Number of cases leading to a custodial sentence 10. Number of cases progressed by the CPS which failed to secure a conviction at court, for any reason.**

We have substituted CPS for the Crown Office and Procurator Fiscal Service (COPFS), however, 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 crime recording systems used by Police Scotland have no facility available which would allow for the automatic retrieval of the level of information you have requested.

Case by case assessment of all Fraud offences, for the time period requested, would have to be carried out to determine the details above. As illustrated by our published statistics, this would involve individually examining thousands of crime reports - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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.

## OFFICIAL

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.

