

Our Ref: IM-FOI-2022-2240
Date: 17th November 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.

1. The number of potential victims of human trafficking identified in Scotland for the years 2020, 2021 and 2022 with data broken down by:

- 1. The age/sex/nationality of the potential victim**
- 2. Region of Scotland (county/city/town) the potential victim was identified**
- 3. Nature of victims' bondage/servitude**

Please find the requested information in table 1 of the attached spreadsheet. I would ask you to carefully note the caveats provided below the data.

2. The number of people arrested on suspicion of human trafficking under the Modern Slavery Act 2015 or any other relevant Act for the years 2020, 2021 and 2022 with data broken down by:

- 1. The age/sex/nationality of the person arrested**
- 2. Region of Scotland (county/city/town) the person was arrested**

In response to these two questions, 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, in 2018, 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.

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When a person is arrested, a statement of arrest should be read over as soon as reasonably practical 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 (of either classification) will have their details recorded in the Police Scotland National Custody System.

The Act however also provides for certain situations whereby a person must be released from police custody prior to their arrival at a police station - effectively allowing the police to 'de-arrest' that person 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 comprehensive arrest data as case by case assessment of all officer notebooks would be required - in addition to the partial arrest data held in the National Custody System.

To be of some assistance, I requested crime statistics from our Analysis and Performance unit for all recorded and detected crimes under the crime code for Slavery or Forced Labour to see if some information could be provided.

Unfortunately, we do not have a way to automatically retrieve the specific information you have requested from crime reports and so a manual review of each would be required.

Each report would need to be read to confirm the age, sex and nationality of any suspects arrested. Whilst the location of the crime can be retrieved automatically, a manual review would also be required to obtain the location any suspects were physically arrested. This may extend to checking individual arresting officer notebooks if not recorded on the relevant crime system.

In this case 311 crimes would need to be manually checked. At a conservative estimate of 10 minutes per record, this equates to over 51 hours of work to provide the information requested.

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

You may wish to consider a request with a reduced timescale such as the most recent year or limiting it to accused rather than suspects which may allow some information to be provided.

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

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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 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.