| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0927  Responded to: 21 April 2023 |
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Your recent request for information is replicated below, together with our response.

## 1. The number of incidents of workplace violence or harassment reported by staff in Shetland in the past five years, broken down by financial year (18/19, 19/20, 20/21, 21/22, 22/23). Please also break down figures if any legal action has been taken as a result of workplace violence or harassment.

## 2. How many assaults on staff in Shetland have been reported to superiors in each of the last five full calendar years and so far this year? Please break the figures down for each year to give an indication of how many assaults were of a sexual nature and how many were not. If possible, please also break the figures down to show how many of the incidents related to different occupations and other departments.

The relevant offence classifications in Scotland is ‘Assault of an Emergency Worker’which includes the offence of assaulting a police officer as set out at section 90 of the Police and Fire Reform (Scotland) Act 2012.

The classification also includes offences under the Emergency Workers (Scotland) Act 2005, which covers other emergency service workers (NHS etc.) or a person who is assisting an emergency service worker.

Similarly, when a member of police staff is assaulted in the course of assisting an officer in their duties (a custody staff member etc.), that is recorded under the same legislation, as are assaults against Special Constables.

The classification also includes the legislation relevant to British Transport Police Officers.

Data regarding this offence where the locus was within the Shetland Local Authority area can be found online (in the various ‘Council Area Reports’):

[How we are performing - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/)

As such, in terms of section 16 of the Act, I am refusing to provide you with the information sought on the basis that it is publicly available. Section 16 requires Police Scotland to:

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

I can confirm that the information requested is held by Police Scotland and the exemption that I consider to be applicable is set out at section 25(1) of the Act:

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

In terms of any other offences, such as sexual assault, threatening behaviour etc, there is no classification specific to police officers or other emergency service workers.

As such, all potentially relevant crime reports would have to be individually assessed for relevance, an exercise I estimate would prove too costly 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 Act where section 12(1) (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

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.