| Police Scotland logo | Freedom of Information ResponseOur references: FOI 24-0676, 24-0677, 24-0678, 24-0679, 24-0680, 24-0681, 24-0682, 24-0683, 24-0684, 24-0685, 24-0686, 24-0687, 24-0688 Responded to: 12 March 2024 |
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## Your recent requests for information are replicated below, together with our response. Your requests have been grouped together into one response for administrative purposes only, however, they have each been considered as a request in their own right.

**1. The number of arrests for drug offences involving children aged under 16 in [each reference number relates to a different police Scotland division] from 01.03.23 – 01.03.24**

**2. The youngest age recorded among those aged 16 or under who were arrested between 01.03.23 and 01.03.24**

**1. The number of arrests for drug offences involving children aged under 16 in [each reference number relates to a different police Scotland division] from 01.03.22 – 01.03.23**

**2. The number of arrests for drug offences involving children aged under 16 in [each reference number relates to a different police Scotland division] from 01.03.18 – 01.03.19**

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’.

We have gone on to consider whether your requests could be answered based on detected crimes as opposed to arrests, due to different recording systems.

Unfortunately, however, it remains the case that section 12 would apply. To ascertain the age of the accused at the time of the offence would involve the case by case assessment of all drugs crimes for the area - thousands for the period.

To be of assistance, data regarding drugs crimes can be found online - [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/).

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 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 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.