

Our Ref: IM-FOI-2022-0377
Date: 04 March 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 each of the years 2017, 2018, 2019, 2020 and 2021:

- **The number of negligence cases brought against the force where settlements have been reached / the amount of money paid in each case**
- **The number of threatened negligence claims against the force where settlements have been reached / the amount of money paid in each case**

Having considered your request in terms of the above Act, 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.

To explain, our Public Liability Claims are not classified in a manner which would enable this point to be readily identifiable.

By way of explanation I can advise you that Police Scotland has paid settlement in over 120 Public Liability Claims since 2017. Negligence is a very broad head of claim and in order to answer this request accurately we would require to carry out a manual review of all claims to determine whether each was relevant to this request.

Based on a conservative estimate of it taking approximately 30 minutes to review each file, this exercise would take in excess of 58.5 hours, clearly exceeding the cost limits of the Act.

If you require further assistance or 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.

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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.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalrnarnock, 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.