

Our Ref: IM-FOI-2022-2520
Date: 07 December 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.

Under the Freedom of Information Act 2000, please provide me with data on the total number of children caught with weapons on school premises between 2011 and this year.

Please include in this list:

- **The type of weapon(s) that were seized in each case.**
- **The total number of weapons that were seized each year.**
- **The age of the child caught with said weapon in each case.**
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In response to your request, please first of all be advised that from the 1st of April 2017, a set of new codes was introduced to record cases of using an offensive weapon in a public setting to commit other criminal activity. Prior to the 1st of April 2017, these crimes of offensive weapons used in another criminal activity or offence committed (for example a serious assault) were subsumed into that main crime or offence.

Therefore having considered your request in terms of the 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, crimes which occurred pre 1 April 2017 would require case by case analysis to answer the specific details of your questions. I can also advise you that crimes are recorded using the Scottish Government Justice Department crime classification codes rather than by a type of business such as a school. Given the thousands of reports that would have to be researched this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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In relation to offences post 1 April 2017, I can advise you that crime statistics 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](#) - data table 7 or Group 5

To establish the age and weapon would again require case by case assessment, therefore Section 12 of the Act would apply.

Should you require any further assistance please contact Information Management - Dundee at foidundee@scotland.police.uk 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 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.

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