

**OFFICIAL**

Our Ref: IM-FOI-2022-0815  
Date: 28 April 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.

**Could you please share the following:**

- **How many cases of fraud were reported to you in 2021 (please break down by category)?**
- **How many of the reported cases were investigated by your force (please break down by category)?**

Please be advised that information regarding crime statistics is 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 at the following link.

<https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/>

- **What was your total 2021 budget?**

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Please be advised that information regarding Police Scotland's budget is 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,
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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 Scottish Police Authority website at the following link.

<https://www.spa.police.uk/about-us/budget-and-finance/>

- **In 2021 did you have a specific budget for investigating fraud? If so, please state how much it was.**

In terms of Section 17 of the Act, I can confirm that the information you seek is not held by Police Scotland.

By way of explanation there is no specific budget used solely for the investigation of fraud. Depending on the circumstances of the particular offence, the crime could be investigated by a number of departments or by local policing.

- **How many of these cases were passed on to Action Fraud?**

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- **When fraud is reported to you, do you advise the victim also contact Action Fraud?**

Police Scotland does not refer crime or individuals to Action Fraud.

- **How many of these reported incidents were reported by an individual?**
- **How many of these reported incidents were reported by a company?**

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In response to the above 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, during the year 2020/21, 15,031 crimes of fraud were recorded. In order to determine if the crime had been reported by an individual or a company each record would need to be manually examined. With a conservative estimate of 2 minutes per record this would equate to over 501 working hours. This is an exercise that would greatly exceed the cost limit set out within the Act.

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

Whilst I would normally suggest you consider submitting a request with a reduced timescale to allow some information to be provided within the cost limit set out within the Act. As a single year vastly exceeds the cost limit, the timescale would have to be so reduced that it is unlikely meaningful statistics could be produced.

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 [foi@scotland.police.uk](mailto: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](mailto: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.