

Our Ref: IM-FOI-2022-2323
Date: 16th November 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.

Please provide the number of arrests for online sexual offences involving children for the years 2019, 2020, 2021 and 2022 until September.

- **For each year, please provide the number of arrests in which the report mentions a “child decoy” or “child decoys”.**
- **For each year, please break this down further between "child decoy" or "child decoys" who were civilians and "child decoy" or "child decoys" who were members of the police.**

In response to these 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, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classification codes and are not thereafter sub-categorised.

It is assumed that you are referring to ‘Grooming of children for the Purpose of Sexual Offences’ however, there is no specific crime of ‘online sexual offences’.

There are in the region of 500 crime reports for the time period requested and the only way to establish whether they were relevant to your request would be to individually examine each report - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

Of these arrests, please provide:

- **The number of convictions for online sexual offences involving children for the years 2019, 2020, 2021, and 2022 until September.**

OFFICIAL

- **Of these, for each year, please provide the number of convictions in which court records mention a “child decoy” or “child decoys”.**
- **Please break down these convictions further and provide the number of child decoys who were civilians and child decoys who were members of the police.**

Police Scotland does not hold conviction information. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

Should you require any further assistance please contact Information Management Dundee, 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.