

OFFICIAL

Our Ref: IM-FOI-2022-0625
Date: 29th 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.

Breaking the figures into each year for the following years 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012 and 2011, please answer the below questions.

Please also include a keyword search for 'paedophile hunter group' to try and establish how many can be directly attributed to the groups. If such a search is not possible, please advise in the response. (i.e. year 2021- crimes 47, positive outcomes 12, keyword search 14.)

1. How many crimes have been recorded for the following offences and if records allow, how many have led to a positive conclusion such as charge, community resolution or charge? If there has been any change in your crime recording which may impact the figures, please provide details and dates. Arranging or facilitating the commission of a child sex offence contrary to section 14 of the 2003 Act (Grooming). Offence contrary to section 15A of the 2003 Act namely, sexual communication with a child. Causing or inciting a child to engage in sexual activity contrary to sections 8 or 10 of the 2003 Act (or attempting to do so). Indecent images of children (IIOC) offences, possess or distribute.

Having reviewed your request, the legislation quoted does not apply in Scotland and appears to be legislation from England and Wales. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

In order to be of some assistance, I have determined whether it would be possible to provide information based on sexual offences in Scotland, typically referred to as 'Group 2' crimes. Please see the attached spreadsheet for a breakdown of Group 2 crimes for the period requested. Table 1 gives the number of recorded crimes, table 2 gives the number of these crimes which went on to be detected. I would ask you to note the caveats provided below each table.

With regards to the further keyword search requested, 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.

OFFICIAL

OFFICIAL

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, Police Scotland does not recognise, in a formal sense, the term "paedophile hunter groups". Police Scotland refers to activist groups that report Online CSAE offending as Online Child Sexual Abuse Activist Groups (OCAGs).

Police Scotland's crime and case recording systems have no automatic way of retrieving crimes involving OCAGs and, as such, a manual review of all crimes would be required to confirm whether they involved such a group. Each Group 2 crime would need to be manually reviewed in order to determine if an OCAG was involved.

If we take just the 2021 year as an example, this would relate to 14,671 Group 2 recorded crimes that would need to be manually checked. Previous requests on the subject have determined that a conservative estimate of 31 minutes per record would be required as all case notes, statements, memos and subject reports would need to be read to establish, with any degree of accuracy, if an OCAG was involved.. This equates to over 6,784 hours of work to provide the information requested.

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

Whilst I would normally suggest that a reduced timescale is considered, just 1 year vastly exceeds the cost threshold. You may wish to request information under specific Scottish legislation which might allow the number of records to check to be reduced.

A previous response we have provided might be of interest to you. I include a link to this below:

<https://www.scotland.police.uk/spa-media/clhbc2xm/21-2850-response.pdf>

It should be noted that the only way to progress this request within the cost threshold of the Act was to limit the timescale to a single year and to 2 of our smaller divisions.

2. What is your constabularies policy when dealing with potential paedophile hunter groups (Online Child Abuse Activist Groups)? What guidance is provided to attending officers of 'stings'?

Police Scotland's now longstanding and consistent position has been that it does not endorse, condone or encourage the activities of OCAGs and does not work with or advise OCAGs, or individuals who comprise OCAGs, as to how to carry out their activities.

Police Scotland will always respond when information is received to suggest a child or young person may be at risk of harm with a focus on identifying and mitigating any risk posed. The fact that a member of the public reporting such a risk of harm happens to be or might be a member of an OCAG is incidental.

OFFICIAL

Police Scotland has a duty to respond to reports received from groups or individuals who advise that they have identified a person who may pose a sexual risk to children. When such a report is received, the overarching priority will be to identify and manage any immediate risk to a child or young person or any other person and thereafter evidence any information/intelligence received.

Whilst it might be necessary for Police Scotland to note a statement from a person who purports to be a member of an OCAG to secure intelligence or evidence including regarding the circumstances giving rise to their presence at a particular location and to ensure any incident is dealt with appropriately, safely and professionally, this is not endorsing, condoning or encouraging their activities.

Police Scotland will ensure that a clear and consistent message is provided to such groups and individuals in respect that they are acting independently of the Police and that it is the position of the Chief Constable that all such investigations are matters for the Police and not members of the public.

Police Officers attending reports of this nature will assess any intelligence or evidence provided and respond in a manner appropriate and proportionate to the risks presented. The usual high standards of investigation and evidential tests will be adhered to. Where there is deemed to be sufficient evidence the necessary report will be submitted to the Crown Office & Procurator Fiscal Service. This can apply to persons reported by OCAGs as well as to members of the OCAGs themselves, where they are assessed to have committed an offence.

Whilst it is not possible to provide prescriptive guidance regarding every situation that may arise when Police Officers attend reports relating to OCAG activity, it is acknowledged that there is a potential for public disorder to be ongoing upon Police Arrival. Keeping the peace and public safety will take priority before any further action is undertaken.

I reiterate that Police Scotland does not endorse, condone or encourage the activities of OCAGs and does not work with them nor advise them how to carry out their activities.

3. Has your constabulary conducted any pro-active work with any paedophile hunter groups (Online Child Abuse Activist Groups)? Such as provide training on statements, legal guidelines etc?

As previously stated Police Scotland does not endorse, condone or encourage the activities of Online Child Abuse Activist Groups and does not work with or advise OCAGs or individuals comprising OCAGs as to how to carry out their activities.

4. Have you mapped paedophile hunter groups (Online Child Abuse Activist Groups) in the area you police? Do you know how many there are?

Police Scotland has not conducted any mapping of OCAGs. Even if mapping had taken place, given that OCAGs are not in any way officially recognised, it would be impossible to determine how many there actually are at any given point in time, .

5. Would your force lead be interested in exploring working with paedophile hunter groups (Online Child Abuse Activist Groups) in an effort to manage the risk presented to the target, manage the safeguarding risks resultant from the activities

OFFICIAL

and increase the quality of evidence with an aim to achieving an increase in prosecutions and reducing investigation time?

As previously stated, Police Scotland does not endorse, condone or encourage the activities of Online Child Abuse Activist Groups and does not work with or advise OCAGs or individuals comprising OCAGs as to how to carry out their activities.

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.pnn.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.