| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0829  Responded to: 20 April 2023 |
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Your recent request for information is replicated below, together with our response.

**• How many crime reports (overall) have been recorded whereby the victim was subjected to any form of harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?  
• How many crime reports have been recorded whereby the victim was subjected to either a S4, S4A or S5 Public Order Act 1986 offence (fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?  
• How many crime reports have been recorded and dealt with under the Protection from Harassment Act 1997, whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors) whilst within a Virtual Reality environment/platform?  
• How many crime reports have been recorded and dealt with under the Communications Act 2003, whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?  
• How many crime reports have been recorded and dealt with under the Malicious Communications Act 1988, whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?  
• How many crime reports have been recorded and dealt with under another legislation (not listed above), whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform? Please mention the legislation used.  
• How many of these reports were dealt with whereby a suspect was identified?  
• How many of these reports were dealt with whereby a suspect was identified and arrested?  
• How many of these reports were dealt with whereby a suspect was identified, arrested, and charged?  
o What were these suspects finally charged with?  
o Are there any further publicly accessible details of these cases that can be shared?  
• How many of these reports were dealt with whereby a suspect was not identified?  
• How many of these reports were not dealt with due to the lack of knowledge on how to investigate this crime?  
• How many of these reports were not dealt with due to the lack of resources (technical capability/legal support (CPS or suitable legislation)/suitable investigator) for this crime?  
• How quickly were these reports closed (no further action) due to the above two factors (lack of knowledge/lack of resources)?, and finally  
• In a table form, please list the demographic information of the victims and perpetrators, including age, gender, and any other relevant details that may be available.**

## Refined request: Could I ask that you try the following terms in your searches to refine/substantiate/eliminate which I have had come back from other forces (who have initially come back with similar comments as yourself), but have then come up trumps... - The most common VR platforms are the likes of Metaverse, RecRoom, VR Chat, Bigscreen, NeosVR, Orbus, vTime, Oculus Home, SteamVR Home, Mozilla Hubs and Altspace - Priority terms = VR, Virtual Reality, online, headset - Accompanying terms = harassment, groping, abuse, sexual assault, verbal harassment, sexual harassment, racial harassment, misogyny, avatar, unwanted attention, unwanted touching, sexual touching, blocking

Having considered your requests 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.

By way of explanation, Police Scotland operates a number of crime recording systems. Whilst robust statistical analysis can be made of the data held on each of our systems, they are not, at present, designed to enable the retrieval of the highly specific information as per your request.

In this instance, it is not possible to carry out a force wide search for specific terms or keywords on our crime systems.

As such, the only way to provide an accurate response to your request would be to carry out case by case assessment of thousands of crime reports for the time period requested, to establish whether the above terminology was mentioned and how it related to the offence - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

You can access our published crime statistics via the following link: [How we are performing - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/)

**What were the court outcomes?**

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](mailto:foi@copfs.gsi.gov.uk)

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.