| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-0999  Responded to: 15 April 2025 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

**Please can I request the following information:**

**Any correspondence sent by Police Scotland to the Scottish Government relating to the UK Equipment Theft (Prevention) Act 2023, since 1 January 2022.**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, there are no means by which all force correspondence can be reviewed.  We have over 20,000 officers and staff, each of whom have a personal email account and network drive storage.

In addition, we have a large number of group mailboxes and substantial shared network drive areas, any of which could contain information of relevance to your request.

To be of assistance, I can advise the following email was submitted to Scottish Government:

“This is not a formal response but as requested general observations/thoughts on the legislation at this time.

In short – this is something that has the potential to positively impact the theft of rural machinery in Scotland by way or prevention and recovery.

Currently ATV and Quad bikes are amongst the most stolen item of machinery within the rural community that we can see both from NFU Mutual report and our own in-house monitoring of trends and hot spots across Scotland.

The Equipment Theft Prevention Act which requires manufacturers to fit immobilisers and forensic marking as standard to specified new agricultural equipment such as All-Terrain Vehicles and quad bikes would likely deter the initial theft to a degree to the increased difficulty in starting a vehicle without the true key due to the immobiliser. The forensic marking aspect would only aid in the recovery aspect after the theft.

The difficulty is that if the vehicle is stolen, then recovering it can be difficult without some form of tracking device being installed to pinpoint the location and thus identify the owner from the forensic marking. From what I can see the act doesn’t provision tracking device installation at the point of sale - this likely due to both the initial and potential ongoing cost associated with this which I would imagine is higher than both the simpler immobiliser and forensic marking detailed in the act, however as an initial deterrent this is something that would be supported.

There may be implications for police resourcing due to recovery and investigation aspects due to the legislation and it would be helpful to obtain data any of this data from England and Wales to ascertain this impact on police resources.”

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.