

Our Ref: IM-FOI-2022-1230
Date: 28th June 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.

Can you tell me since 22 September 2021, how many police warnings have been given for drugs offences please?

In particular possession of class A drugs.

How many police warnings have been given for the possession of cocaine?

How many police warnings have been given for the possession of heroin?

How many police warnings have been given for the possession of ecstasy?

Also how many police warnings have been hand out for the possession of class B drugs, namely cannabis.

Please note that this change came into effect on the 28th September 2021, not the 22nd September 2021 as above.

Having considered your request 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, drug offences in Scotland are recorded in accordance with the Scottish Government Justice Department offence classification codes and are not thereafter sub-categorised by drug type or class.

The crime recording systems used by Police Scotland have no facility whereby the type of drug in question can be easily extracted and as such, case by case assessment of all crime reports would be required.

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If I was to use a conservative estimate that it would take 5 minutes to check each report, then calculations show that from 28th September 2021 – 31st December 2021 alone, there were 1,349 Recorded Police Warnings. It would take approximately 112 hours and would cost approximately £1,686 to carry out this task for the short time period above which is in excess of the cost limit set out in the Fees Regulations.

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, Dalrnarnock, 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.