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Our Ref: IM-FOI-2022-2388
Date: 07 December 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.

**All emails
December 2021 to September 2022
And
November 2022**

December 2021 and September 2022 - Getting it right for the anonymous

**Request
Emails sent from anyone
Emails sent anonymous**

**To
Chief Constable
Any Sergeant
Any other rank**

**Containing
Video evidence**

And how many of those listed days contained more than one video evidence

For clarity first of all, your request has been interpreted as seeking the number of occasions between December 2021 and November 2022 whereby any Police Scotland officer has received an email which contained 'video evidence'.

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.

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By way of explanation, there is no means by which we can search email accounts/ inboxes on that basis other than by asking 17,000+ police officers to check whether they hold any emails matching that criteria.

Notwithstanding the above, it is likely that if an email was received containing footage of evidential value to a criminal investigation, it is likely that the footage would be saved elsewhere as part of the records and productions associated with that crime - as opposed to being stored in an email inbox.

That being the case, again, there is no means by which all productions held by Police Scotland can be searched to determine whether a) they are video footage and b) they were sent by email.

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.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.