

**OFFICIAL**

Our Ref: IM-FOI-2022-0486  
Date: 14<sup>th</sup> 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.

**1. Please can you provide the crime(s) of each sex offender who has been removed from the sex offender and the reason given for their removal for the last two years. Please provide the information in a yearly breakdown (2020-21 and 2021-22). Please give the date of removal and date of the offence for each person removed.**

**Please black out any personal data you see fit such as name. Please leave in the date of the offence committed and when the person was removed from the register.**

In response to your request, 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, there is no automated way for the information requested to be obtained and so a manual review of each record is required to gather the information requested.

In this case, if we take the 2021/22 year as an example, 722 records would need to be manually checked. A time study was conducted and it was determined it would take around 3 minutes to check each record and that to complete this single year would take over 36 hours of work to complete.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so to provide both years requested would breach the cost threshold.

You may wish to consider resubmitting you request for just the 2021/22 year which may allow some information to be provided.

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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](mailto: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](mailto: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.