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Our Ref: IM-FOI-2022-0804
Date: 17th 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.

The number of strip searches undertaken in the last 15 years, followed by a breakdown of ethnicity, gender and age.

If you could also provide some further information on the types of setting these searches take place i.e police van, school, refuge centre etc...

Police Scotland record strip searches separately depending on whether they took place as part of a stop and search or as part of the custody process.

I have taken your request for the last 15 years to be to the calendar years 2007 to 2021, namely 01/01/2007 to 31/12/2021.

As you have asked for strip searches specifically, this response does not include figures for intimate searches.

Stop and Search:

In regards to the period 01/01/2007 to 31/03/2017, 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, our Stop and Search Code of Practice and the enhanced database introduced as a result only holds information back to 1st of April 2017. Prior to this, information was held in the legacy systems of the 8 territorial forces that made up Police Scotland. Recording practices and system capabilities varies across these systems and so the only way to obtain accurate and comparable figures would be for each search to be manually checked.

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In this case many thousands of records would need to be manually checked to confirm firstly if a stop and search resulted in a strip search and then to obtain the breakdown requested. It is estimated this would take thousands of hours of work to provide the information requested.

In regards to the period 01/04/2017 to 31/12/2021 please be advised that the requested information is publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

- (a) states that it holds the information,
- (b) states that it is claiming an exemption,
- (c) specifies the exemption in question and
- (d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

I can confirm that the information requested is available through our public website. I have attached a direct link to relevant page for you:

<https://www.scotland.police.uk/about-us/how-we-do-it/stop-and-search/data-publication/>

There are guidance notes available in the information tab of each spreadsheet but to be of some assistance, you can filter column AK by excluding STANDARD and INTIMATE searches which will leave strip searches inside police stations and strip searches outside police stations.

In regards to a breakdown of location requested, column AK provides whether the search took place within or outwith a Police Station. Whilst I note you request for a breakdown by more specific search location such as “police van, school, refuge centre etc” our stop and search database does not break this down further although the division and multi-member ward the search took place within is also included in the linked data.

Whilst it is possible more specific information may be available within free text areas of the database or in other records held by Police Scotland, I regret to inform you that I am unable to provide you with a further breakdown 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.

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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.

As explained above, there is no automated way to obtain the information requested and a manual check of each search record would be required. This may extend to checking individual officer's notebooks or contacting officers if the information was not complete.

In this case thousands of records would need to be manually checked. It is estimated it would take thousands of hours to obtain the information requested.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

Whilst I would normally suggest you may wish to submit a request with a reduced timescale, even a single year is likely to far exceed the cost threshold within the Act.

Custody:

In regards to the period covering 01/01/2007 to 12/01/2017 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, our national custody system was introduced on 13th April 2017 and as a result only holds information back to this date. Prior to this, information was held in the legacy systems of the 8 territorial forces that made up Police Scotland. Recording practices and system capabilities varies across these systems and so the only way to obtain accurate and comparable figures would be for each search to be manually checked.

In this case many thousands of records would need to be manually checked to confirm firstly the type of search conducted and then to obtain the information requested. It is estimated this would take thousands of hours of work to provide the information requested.

In regards to the period covering 13/01/2017 to 24/01/2018 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, whilst our National Custody System was introduced on 13/01/2017, we did not separately record intimate searches until the Criminal Justice (Scotland) Act 2016 was implemented on 25/01/2018. As a result, it is not possible for specific strip search statistics to be provided for this period without a manual review of each strip search to filter out intimate searches.

In this case 33,663 records would need to be manually checked. At a conservative estimate of 5 minutes per record, this equates to over 2,805 hours of work to provide the information requested.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

I would normally suggest that a request with a reduced timescale be considered however as just over a single year exceeds the cost threshold I do not believe meaningful statistics can be provided for this part of your request.

In regards to the period 25/01/2018 to 31/12/2021, please find the requested information in the attached spreadsheet.

In regards to location, all of these searches have taken place within a police station/custody suite.

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 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.