

Our Ref: IM-FOI-2022-0004
Date: 25 January 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.

How many complaints Police Scotland has received to date in relation to the matter below, ie the public complaining about this policy (allowing alleged rapists who are biologically male to self-identify as females?) Can you please provide me with any responses from the force sent to people who complained – e. g. is there a pro forma letter which is sent out in these circumstances and if so can I see it please? If not can you please send me some examples of replies (redacting names of the people who complained).

The matter I am referring to has been widely covered in the media, here is one link -

<https://www.dailymail.co.uk/news/article-10304299/Police-Scotland-slammed-identify-rapists-female.html>

Having considered your request in terms of the 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, the only way to provide an accurate response to your request would be to check all correspondence force wide but to be of assistance we have considered whether we could answer in terms of any formal complaints against the police but Section 12(1) of the Act (Excessive Cost of Compliance) would still apply as although we could narrow the search to a particular category of complaint 'Quality of Service Policy/Procedure allegation' there would be several hundred if not thousands of complaints requiring individual review for relevance, depending on the time period.

To illustrate, a total of 3,374 complaints were received between 01/04/2014 - 12/01/2022 involving a Quality of Service Policy/Procedure allegation. Unfortunately, a manual review

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to provide the information requested, is an exercise which I estimate would far exceed 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.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.

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