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Our Ref: IM-FOI-2022-1812
Date: 23rd September 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.

Please provide me with all recorded incidents, reports and complaints linked to the MS Victoria since the ship berthed at Leith, Edinburgh.

Please state the nature of the incident, the date and time of the incidents as well as relevant crime reference numbers.

Following a clarification request you confirmed that a search from 1st July 2022 onwards would be acceptable.

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, whilst an attempt was made to retrieve specific incidents to the MS Victoria and then once this was unsuccessful the Leith Docks, it was not possible to retrieve statistics at this level from our incident recording system. The closest we could retrieve was beat level information with the docks covering 2 beats NL26 and NL27.

The only way to retrieve the requested information would be for each incident to be manually checked to see if it related to the docks and then to the MS Victoria.

In this case 1,618 incidents would need to be manually checked. At a conservative estimate of 3 minutes per record, this equates to just under 81 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.

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Whilst I would normally suggest that a reduced timescale is requested, in this case as a period just over 2 months exceeds the cost threshold, I do not believe meaningful statistics could be produced by doing so.

In order to be of some assistance, it was explored whether crime data rather than incident date could be used. Unfortunately the crime data does not include a locus line that would allow for the MS Victoria specifically to be retrieved and so a review of all crimes in those two beats for the period would be required.

Again, the only way to retrieve the requested information would be for each crime report to be manually checked to see if it related to the docks and then to the MS Victoria.

In this case 488 crimes would need to be manually checked. At a conservative estimate of 5 minutes per record, this equates to over 40 hours of work to provide the information requested. It should also be noted that this information would also not include any incidents that did not go on to be recorded as a crime and so would not in fact fully answer your question.

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.