

Our Ref: IM-FOI-2022-0091  
Date: 27<sup>th</sup> 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.

**I would like to ask about a "revenge porn" website that is known as AnonIB or "anon-posted message board". It is an explicit image-sharing website broken down by area and in some cases institutions like universities.**

**Please can you tell me:**

**Since January 2014 how many women have come forward to the force to say they were a victim of this website, i.e. images of them had appeared on it without their consent?**

**Please provide the number of victims who have come forward each year since 2014.**

**Have any arrests been made in relation to these complaints? Was anyone charged? If so, please provide the charges and the date of the charge.**

**If the investigation was closed please tell me when?**

**Was there a national law enforcement authority that helped the force co-ordinate these investigations? If so, what was it?**

I must firstly ask you to note that Police Scotland does not use the term "Revenge Pornography" but instead refers to Non-Consensual Sharing of Intimate Images which is legislated by Section 2 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 as defined by the Scottish Government Justice Department Crime Classification Codes.

Police Scotland agree with survivors who say the term "Revenge Porn" trivialises their experiences – it makes them feel as if they have done something wrong to justify an act of revenge. The focus on 'porn' encourages victim blaming in that they should not have taken or allowed the videos or pictures to be taken. It should also be noted that the intimate images may not be considered pornographic in nature.

Section 2 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 became effective on the 3rd July 2017.

## OFFICIAL

Having considered 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, the crime recording systems used by Police Scotland have no facility whereby this level of information can be automatically retrieved.

Case by case assessment of all Non-Consensual Sharing of Intimate Images offences, for the time period requested, would be required to establish whether the image(s) were uploaded onto this website.

As illustrated by our [published statistics](#), this would involve individually examining several thousand crime reports - 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 on [foidundee@scotland.pnn.police.uk](mailto:foidundee@scotland.pnn.police.uk) 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.