

05 March 2015

Your Ref:

Our Ref: IM-FOI-2015-0282



Sir Stephen House QPM
Chief Constable

Police Scotland,
FOI Central Processing Unit,
Clyde Gateway,
2 French Street,
Dalmarnock,
G40 4EH

foi@scotland.pnn.police.uk

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
SUBJECT: Smacking/Hitting Children

I refer to your request for information received 6 February 2015 regarding the above 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.

REQUEST

Under FOI, I write to ask for details of all crime reports where “smacking” or “hitting a child” by a parent or carer has been mentioned in a report of any crime. I would ask that the age of the child is mentioned, date and general location (eg Glasgow, Edinburgh, Stirling).

Please could you send me all such reports since Police Scotland came into force

RESPONSE

Having considered your request in terms of the above 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, any such incidents would be recorded under the general offence category of 'assault' – although not exclusively.

In Scotland a child can be defined differently in different contexts. However a child is generally recognised as someone who is under the age of 18. As such, the only way to provide an accurate response to your request would be to go through each and every crime report for an assault where the victim was aged 17 or under at the time of the offence and ascertain whether or not the accused was the parent/carer of the victim and thereafter whether or not the behaviour recorded could be described as a 'smack' - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

Notwithstanding the above, I would advise you that all child protection concerns are a priority for Police Scotland and such matters will be handled with professionalism and sensitivity and with the needs of the child at the heart of all actions and decisions.

All child protection concerns will be thoroughly investigated and, in addition, Police Scotland is committed to working in partnership with other agencies, sharing information to protect children and providing support and intervention when required.

I trust that the information available is of assistance and should you require any further assistance concerning this matter please contact me on 0131 311 3647 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance and within 40 working days of receiving this letter to request a review of the decision made by the Service. Should you wish to do so, contact details are; Police Scotland, FOI Central Processing Unit, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH. (Or email foi@scotland.pnn.police.uk).

Once informed of the review decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. The contact details are: Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16

9DS, telephone 01334 464610. Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Yours sincerely

Heather Pettie
Information Management
Freedom of Information