

Our Ref: IM-FOI-2017-1518
Date: 4 September 2017



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 - INTERNAL REVIEW

In accordance with section 20(1) of the Freedom of Information (Scotland) Act 2002, I understand that you have requested a review of the decision communicated to you on 7 August 2017 in respect of your original request for information, received 10 July 2017.

Original Request

I would be grateful if you could provide confirmation of the number of recorded assaults committed against Police Scotland officers and support staff in the past 24 months.

Request for Review

I am concerned that the force appears to be suggesting assaults against Police Scotland officers and staff aren't recorded in a manner which would make it easy to search and sort. While my request requested assaults against officers and staff, I'd be happy to accept assaults against staff aren't recorded centrally but considering assaults against police officers are typically charged as such, I can't understand why this information would not be simpler to obtain and disclose.

My role is to consider the response issued and determine whether or not your request was handled in accordance with the provisions of the Freedom of Information (Scotland) Act 2002.

As part of the review, I am also required to consider the quality of the administrative process applied to your request and I am pleased to record no deficiency in that regard.

In reviewing the response I have studied all documentation relevant to the request, including that which documents both the research carried out and the decision making process.

The decision I have to make is whether or not section 12 of the Act was correctly applied to your request.

Crimes in Scotland are recorded in accordance with the Scottish Government Justice Department (SGJD) offence classification codes.

There exists a classification - assault of an emergency worker - which encompasses assaults against police officers and, in some situations, police staff, but the same classification also includes assaults of other emergency workers.

Furthermore, in some circumstances, assaults against members of staff will be recorded as common assault and assaults against officers and staff can also be recorded as serious assault or even attempted murder, depending on the circumstances.

In terms of your request, the position is that the thirteen geographic divisions of Police Scotland (once eight police forces) continue to use different recording systems in relation to the recording of crime.

In terms of the *assault of an emergency worker* classification specifically, I can advise you that *some* of the thirteen divisional systems have the capability whereby these offences can be narrowed specifically to offences in terms of section 90 of the Police and Fire Reform (Scotland) Act 2012 but crucially, not all have this functionality.

Taking all of the above into account, I am satisfied that your request has been handled in accordance with the Freedom of Information (Scotland) Act 2002 and in terms of section 21(4)(a) of the Act, I uphold the original response and agree that section 12 of the Act was correctly applied.

Should you require any further assistance concerning this matter please contact Information Management - Dundee on 01382 596657 quoting the reference number given.

If you remain dissatisfied following the review of this case, you then have six months in which you may appeal to the Scottish Information Commissioner who can be contacted as follows:

Online appeal service - www.itspublicknowledge.info/Appeal

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Telephone: 01334 464610
Email: enquiries@itspublicknowledge.info

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.