

Our Ref: IM-FOI-2021-0277  
Date: 23 December 2022



## **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 25<sup>th</sup> November 2021 in respect of your original request for information.

### **Original Request**

1. For the year 2019/20, please provide the number of arrests made in connection with all instances of online grooming offences by adults against children.
2. For the year 2019/20, please provide the number and names of all so-called paedophile hunting groups associated with the online grooming offences identified in 1.

### **Request for Review**

Your query and ask of Police Scotland:

I do not consider that the information I have requested is personal data. I have requested the names of groups that tend to publicise their activities online. Anti-paedophile groups I am aware of who have 'caught' suspected paedophiles in Scotland include Wolf Pack Hunters UK, Innocent Voices, Maximum Exposure UK, Child Online Safety Team, SGTI, Keeping Kids Safe, Justice4Kids, The Forbidden Scotland, Decoy North, Child Protectors Scotland, Dark Justice and Groom Resisters Scotland. Stories about such groups are plentiful in the media.

For example:

"Supreme Court ruling 'seen as green light for paedophile hunters'"

<https://www.heraldscotland.com/news/18585188.supreme-court-ruling-seen-green-light-paedophile-hunters/>

"Vigilante 'paedophile hunters' caught same man twice in five months"

<https://www.pressandjournal.co.uk/fp/news/scotland/1513685/vigilante-paedophile-hunters-caught-same-man-twice-in-five-months/>

"Paedophile hunters 'uncover half of child grooming cases'"

<https://news.stv.tv/scotland/paedophile-hunters-uncover-half-of-child-grooming-cases?top>

"Glenmore Lodge instructor exposed as pervert by paedo hunters"

**OFFICIAL**

<https://www.strathspey-herald.co.uk/news/head-instructor-at-glenmore-exposed-as-a-pervert-by-paedophile-hunters-226620/>

**"Highland man snared by paedophile hunters avoids jail sentence"**

<https://www.pressandjournal.co.uk/fp/news/highlands/2516872/highland-man-snared-by-paedophile-hunters-avoids-jail-sentence/>

**I also note from your response the absence of any attempt on your part to contact the groups concerned to see if they would object to having their names disclosed. They may have no objections at all.**

**Police Scotland Response**

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.

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 s.16 of the Act, in conjunction with the exemption(s) set out at section(s) s.35(1)(a)&(b) and s.39(1), was correctly applied to your request.

Firstly, I must advise that Police Scotland does not use the terms "vigilante group", "anti-paedophile groups" or "paedophile hunting groups" and instead refers to activist groups that report online child sexual abuse and exploitation offending by the recognised UK law enforcement term i.e. Online Child Sexual Abuse Activist Groups (OCAG).

Police Scotland's now longstanding and consistent position has been that it does not endorse, condone or encourage the activities of OCAGs and does not work with or advise OCAGs, or individuals who might purport to be part of an OCAG, as to how to carry out their activities. To this end we do not pro-actively contact OCAGs and we seek to minimise any publicity as to their activities. To suggest that we might contact them to seek permission would run contrary to this even if such groups were formally constituted in some way with obvious contact details.

Police Scotland will always respond when information is received to suggest a child or young person may be at risk of harm with a focus on identifying and mitigating any risk posed. The fact that a member of the public reporting such a risk of harm happens to purport to be a member of an OCAG is incidental. Police Scotland has no way of verifying that information. There is no registration system for OCAGs.

Police Scotland has a duty to respond to reports received from groups or individuals who advise that they have identified a person who may pose a sexual risk to children. When such a report is received, the overarching priority will be to identify and manage any immediate risk to a child or young person, or any other person, and thereafter evidence any information/intelligence received.

Whilst it might be necessary for Police Scotland to note a statement from a person who purports to be a member of an OCAG to secure intelligence or evidence including regarding

**OFFICIAL**

the circumstances giving rise to their presence at a particular location and to ensure any incident is dealt with appropriately, safely and professionally, this is not endorsing, condoning or encouraging their activities.

Police Scotland delivers consistent messaging to individuals, who officers might encounter and who purport to be acting for an OCAG, that they are acting independently of the Police and that it is the position of the Chief Constable that all such investigations are matters for the Police and not members of the public.

Police Officers attending reports of this nature will assess any intelligence or evidence provided and respond in a manner appropriate and proportionate to the risks presented. The usual high standards of investigation and evidential tests are adhered to. Where sufficient evidence exists the necessary report will be submitted to the Crown Office & Procurator Fiscal Service. This can apply to persons reported by OCAGs as well as to purported members of the OCAGs themselves, where they are assessed to have committed an offence.

I reiterate that Police Scotland does not endorse, condone or encourage the activities of OCAGs, does not work with them nor advise them how to carry out their activities and seeks to minimise the publicity surrounding OCAG activities.

**Review: Question 1**

In our last response to you (letter dated 25<sup>th</sup> November 2021) we reiterated that we could not answer your Question 1, i.e.

**“For the year 2019/20, please provide the number of arrests made in connection with all instances of online grooming offences by adults against children.”**

on cost grounds. That was accurate and remains the position.

What was also provided to you in that letter were statistics from Police Scotland analytical work that were analogous to your question, but only to some degree:

- the figures did **not** relate to the period requested in Question 1 but to 01/04/2018 – 31/03/2019, i.e. one year earlier,
- the figures did **not** relate to the number of arrests in connection with ALL online grooming offences against children for that earlier year (2018/19),
- instead the figures provided that for 2018/19, Police Scotland recorded nationally 95 offences under s.1 Protection of Children & Prevention of Sexual Harm (Scotland) Act 2005 (hereafter referred to as the “s.1 offence”),
- and that 52 of these offences (55%) were **assessed** as being related to activity by OCAG groups.

I cannot stress enough that there **cannot be any extrapolated assessment** as to the wider prevalence of OCAG activity from the 55% of the 95 2018/19 s.1 offences assessed as relating to the activities of OCAGs.

Firstly, as indicated in our original letter of 14<sup>th</sup> April 2021, and the s.1 offence from the 2005 Act notwithstanding, ‘grooming’ is not a standalone crime and is typically behaviour that can lead to the commission of various crimes including a number within the Sexual Offences (Scotland) Act 2009. OCAG activity can therefore lead to other crimes being recorded, not

just the s.1 offence from the 2005 Act. Having said that, the s.1 offence IS the predominant offence typically seen resulting from purported OCAG incidents along with certain communications related offences under the Sexual Offences (Scotland) Act 2009. The analytical work referred to and from which these figures have been taken was deliberately constrained to the s.1 offence from the 2005 Act. Therefore, Police Scotland's assessment is that purported OCAG activity is related to a significantly lesser % of the overall number of all 'grooming' type offences.

Secondly, in terms of overall police recorded incidents assessed as being related to OCAG activity, 2018 represented a seeming high-point. The OCAG phenomenon was largely non-existent in Scotland in 2016, developed through 2017 with the seeming high in 2018. There was a noticeable drop in 2019 with the COVID pandemic having a further impact through 2020 and 2021. It seems that there has been some increase in 2022 but not yet reaching the levels of 2018.

Both these points inform the assessment that the overall prevalence of OCAG activity, drawn from the 'grooming' crimes assessed to be related to OCAG activity as a percentage of the overall recorded crime figures for online grooming and / or online child sexual abuse and exploitation, is significantly lower than the 55% figure drawn from the analytical work on the 2018/19 s.1 offences.

### **Review: Question 2**

As part of that analytical work referred to, the names of the OCAGs assessed as being related to the 52 offences had been established and recorded. The response of 25<sup>th</sup> November 2021 sought to recognise that having provided some information (i.e. per above, the 95 s.1 offences for 2018/19) in answer to Question 1, that it might be reasonable to anticipate that you might want your Question 2 applied to that set of data, despite any answer inevitably NOT being what Question 2 asked, namely:

**"For the year 2019/20, please provide the number and names of all so-called paedophile hunting groups associated with the online grooming offences identified in 1."**

The response of 25<sup>th</sup> November 2021 sought to withhold that information, as it applied to the set of 52 s.1 offences from 2018/19, with defined exemptions applied. However, I can now provide you with the list of the 17 OCAGs recorded and assessed as being related to the 52 s.1 offences identified within that piece of analytical work. They are:

The Groom Resisters Scotland  
Wolfpack Hunters UK  
No More Silent Voices UK  
Child Protectors Scotland  
Justice for the Innocents  
COBRA UK  
Scottish Anti-Predator Alliance  
Protecting the Future  
Edinburgh Exposure  
Hunt to Exposure  
Guardians of the North  
Protecting the Future  
Forbidden Scotland Division

STS West Lothian  
KKS (Keep our Kids Safe)  
Maximum Exposure Scotland  
Groom Resistors Scotland

The following caveats apply to this information as well as the statistics previously provided:

- **The crime report data** has been gathered **for the period 01/04/2018 - 31/03/2019** relating specifically to the **offence 'Grooming Children for the purposes of sexual offences' under s.1 Protection of Children & Prevention of Sexual Offences (Scotland) Act 2005**. A broader assessment that would have included crime reports whereby online grooming formed part of the MO of the offender **were not included** for analysis.
- The information extracted from crime management systems is reliant upon the information recorded within the original crime reports, which may or may not contain all of the required information for full analysis to be conducted.
- The figures are based on manual assessment and categorisation so may contain errors/anomalies.
- **The data is not official statistics.**
- The name of the OCAG group involved could not be established for every crime due to a lack of information.
- We do not hold a summary of each recorded crime including outcome.

To reiterate, this information was produced as a standalone analytical piece of work. This statistical data cannot be reproduced for further years under the remit of the Freedom of Information (Scotland) Act as due to the volume of work involved, the request would be refused on the basis of s.12 excessive cost of compliance.

Taking all of the above into account, I am not satisfied that your request has been handled in accordance with the Freedom of Information (Scotland) Act 2002 and in terms of s.21(4)(b) of the Act, I overturn the original response as I do not agree that section s.16 of the Act was correctly applied.

Should you require any further assistance concerning this matter please contact Information Management quoting the reference number given.

If you remain dissatisfied following the outcome of this 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.