| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-0561Responded to: 06 March 2025 |
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Your recent request for information is replicated below, together with our response.

## As you will see from the attachments, COPFS have provided me with figures on the number of upskirting cases passed to them and offenders charged.

## If possible please could you also provide me with data on the number of offences of this kind reported to the police, since 27 July 2018, broken down by year?

## This covers offences that would be reported to the COPFS under Section 9 4A and 4B of the Sexual Offences Scotland Act 2009, under Section 26 4A and 4B of the Sexual Offences Scotland Act 2009 and under Section 36 4A and 4B of the Sexual Offences Scotland Act 2009.

## I am not looking for just those which were passed to COPFS but the number of cases which reported to the police, even if they led to no further action.

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, crimes in Scotland are recorded in accordance with the [Scottish Government Justice Department (SGJD)](https://www.gov.scot/publications/user-guide-recorded-crime-statistics-scotland-3/documents/) offence classifications, however there is no Scottish crime classification relevant to your request.

Whilst we can provide data for the three SGJD Voyeurism classifications (which are the three different age brackets set out at section 9, 26 and 36) we cannot provide data on subsections 4(A) of that legislation specifically, as it all comes under the same general classification which includes behaviours other than what is known as 'upskirting'.

We *may*​be able to provide data for 2024 alone due to a different recording system being introduced if that was of interest.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](https://www.foi.scot/appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.