| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0595  Responded to: 23 March 2023 |
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Your recent request for information is replicated below, together with our response.

**Provide details on how many of the following crimes were recorded by Police Scotland in each of the last two financial years and so far this financial year:**

**Prisons (Scotland) Act 1989 S41(1)(a)&(9A)a - Bring/introduce or attempt bring/introduce personal communication device into prison**

**Prisons (Scotland) Act 1989 S41ZA(1) - Knowingly give a personal communication device to a prisoner**

**Prisons (Scotland) Act 1989 S41ZA(2)(a) - Transmit a communication of any kind from inside a prison**

**Prisons (Scotland) Act 1989 S41ZA(2)(b) - Intentionally receive a communication of any kind from inside a prison**

**Prisons (Scotland) Act 1989 S41ZA(3) - Prisoner in possession of a personal communication device while in prison**

**Prisons (Scotland) Act 1989 S41ZA(3)&41(9B) - Any person while inside a prison is in possession of a personal communication device.**

Please be advised that Police Scotland record crimes using the Scottish Government Justice Department crime classification codes and are not thereafter sub-categorised.

In this instance, all of the offences outlined above are recorded under the same, general classification.

Please find below recorded and detected *Prisons (Scotland) Act 1989* offence for the period 1 April 2021 - 28th February 2023 (financial years).

**Recorded crimes**

| **Offence** | **2020/21** | **2021/22** | **2022/23** |
| --- | --- | --- | --- |
| Prisons S Act 1989 (not elsewhere classified) | 480 | 756 | 799 |

**Detected crimes**

| **Offence** | **2020/21** | **2021/22** | **2022/23** |
| --- | --- | --- | --- |
| Prisons S Act 1989 (not elsewhere classified) | 394 | 731 | 766 |

All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 14th March 2023.

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](mailto:foi@scotland.police.uk) 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](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) 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.