| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1891  Responded to: 28th July 2023 |
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Your recent request for information is replicated below, together with our response.

## Under FoI I would ask, please, where Police Scotland might allow me to understand the actual cases that have arisen since the Children (Equal Protection from Assault) (Scotland) Act 2019 passed into law, whether they are few or many.

## This is to understand the impact on Police Scotland and implementation, nothing to do with the law itself.

Having considered your request in terms of the 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, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classification codes however there is no code for the Legislation referred to within your request, as it does not actually introduce any offence. This Legislation introduces the abolition of the defence of reasonable chastisement.

As such, any such instance of a parent or guardian hitting a child would be recorded as the offence of ‘Assault’ etc. The only way to provide an accurate response to your request would be to manually examine each and every incident and recorded crime in relation to an assault in order to establish whether a child was identified as a victim.

Unfortunately, there are no relevant markers which allow the automatic retrieval of this level of information. As such this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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.