| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0729  Responded to: 10 April 2024 |
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Your recent request for information is replicated below, together with our response.

## • How many incidents of illegal dumping of rubbish (also commonly known as fly dumping or fly tipping) occurred within the jurisdiction of your force’s authority last year (i.e. 2023)

## • How many incidents of illegal dumping of rubbish (also commonly known as fly dumping or fly tipping) occurred within the jurisdiction of your force’s authority have occurred since the beginning of 2024?

In response to these questions I can advise that there were 190 Litter/Fly Tipping incidents recorded on the Police Scotland incident recording system, STORM, for 2023 and 46 up to 04/04/2024.

## • How many arrests were made by your police force for illegal dumping of rubbish (also commonly known as fly dumping or fly tipping) last year (i.e. 2023)

## • How many arrests were made by your police force for illegal dumping of rubbish (also commonly known as fly dumping or fly tipping) since the beginning of 2024

The Criminal Justice (Scotland) Act 2016 removed the separate concepts of arrest and detention and replaced them with a power of arrest without warrant - where there are reasonable grounds for suspecting a person has committed, or is committing, an offence.

When a person is arrested, a statement of arrest should be read over as soon as reasonably practicable and details recorded in the arresting officer’s notebook.

A person is ‘Not Officially Accused’ (a suspect) when arrested and not cautioned and charged. They are ‘Officially Accused’ once arrested and cautioned and charged.

If conveyed to a police station, the arrested person will have their details recorded in our National Custody System.

There are situations however whereby a person must be released from police custody prior to their arrival at a police station - effectively they are ‘de-arrested’ - where the reasonable grounds for suspicion no longer exist. In those circumstances, the details of an arrested person are not held electronically.

As a result, we are unfortunately unable to collate comprehensive arrest data, as case by case assessment of all officer notebooks would be required - in addition to the partial arrest data held in the National Custody System.

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

To be of assistance, I can advise that for the incidents referred to above, 11 in 2023, and 3 in 2024, resulted in the creation of a crime report.

Published statistics relating to littering offences can be found at the link below:

[Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/)

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.