| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2352  Responded to: 28th September 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## Of all reports passed on to a procurator fiscal concerning a crime or offence in 2022-23, the number of times the person accused of committing the offence had been handed out a Recorded Police Warning (RPW) prior to that report for a separate offence. Please list the number of accused persons who had previous been given a RPW who were accused of committing a crime in a report to the procurator fiscal in 2022-23, broken down by the alleged crime contained in the report to the fiscal.

## How many individuals have been given an RPW multiple times across the last five full financial years for which you have data. Please list the number of individuals who have been handed out multiple RPWs broken down by the number of times the individual has received an RPW. For example, those who have receive two RPWs, three RPWs etc.

I am afraid that I am unable to provide you with the information you have requested. 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 this part of 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.

To explain, Police Scotland operates a number of crime recording systems. Whilst robust statistical analysis can be made of the data held on each of our systems, they are not, at present, designed to enable the retrieval of the highly specific information as per your request.

In this instance, it is not possible to search Recorded Police Warnings (RPWs) and offenders based upon whether they were reoffending or had received multiple RPWs.

The only way to provide you with this information in an accurate and consistent manner would be to examine each and every RPW issued for the requested time period. This would be necessary to gather information on each offender, before examining every offender’s record to determine if they had previously committed an offence etc.

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.