| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1322  Responded to: 13 June 2024 |
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Your recent request for information is replicated below, together with our response.

**Due to recent serious criminal activity within the Earnock Glen estate, Hamilton I would like to request the following information.**

* **How many crime reports have been recorded by residents of Earnock Glen (ML3 8RF, ML3 8RE, ML3 8RR and ML3 8RS) since September 2011 until the date of this email.**
* **Provide the number of these crimes have led to individuals being charge with the reported offence.**

Between 1 September 2011 and 31 May 2024, 45 crimes were recorded in the postcode areas listed above, 11 of which were detected (detected crimes are those where an accused has been identified and there exists a sufficiency of evidence under Scots Law to justify consideration of criminal proceedings).

* **Provide the crime report numbers, the date the offence occurred and what the offence was.**

The tables below detail a breakdown by date and by recorded crime classification:

*Table 1 - Recorded crime reports - date raised by month - 1st September 2011 - 31st March 2024 - ML3 8RF, ML3 8RE, ML3 8RR and ML3 8RS*

| **Year** | **Jan** | **Feb** | **Mar** | **Apr** | **May** | **Jun** | **Jul** | **Aug** | **Sep** | **Oct** | **Nov** | **Dec** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 2013 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 1 | 0 | 0 | 0 | 2 | 2 | 0 | 1 | 0 | 0 | 0 | 0 |
| 2015 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 1 |
| 2016 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| 2017 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2018 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 2019 | 1 | 0 | 0 | 1 | 0 | 4 | 0 | 1 | 0 | 0 | 0 | 0 |
| 2020 | 1 | 0 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 1 | 0 | 1 |
| 2021 | 3 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2022 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 |
| 2023 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 |
| 2024 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

*Table 2* - *Recorded crime reports categorised - 1st September 2011 - 31st March 2024 - ML3 8RF, ML3 8RE, ML3 8RR and ML3 8RS*

| **Recorded crime category** | **Total** |
| --- | --- |
| Threats and extortion | 2 |
| Group 2 – Sexual Crimes | 1 |
| Housebreaking (inc. attempts) – dwelling house | 6 |
| Housebreaking (inc. attempts) – non-dwelling | 2 |
| Housebreaking (inc. attempts) – other premises | 1 |
| Opening Lockfast Places – Motor Vehicle | 2 |
| Theft of a motor vehicle | 2 |
| Theft from a Motor Vehicle, Insecure etc | 5 |
| Common theft | 3 |
| Fraud | 4 |
| Other Group 3 crimes | 5 |
| Fire raising | 1 |
| Vandalism (incl. reckless damage, etc.) | 4 |
| Common Assault | 4 |
| Threatening and abusive behaviour | 2 |
| Other Group 6 offences | 1 |

*All statistics are provisional and should be treated as management information.   
Data was extracted from Police Scotland systems and are correct as at 6th June 2024.*

My understanding of the areas covered by your request is that these are residential areas with a small number of properties and for that reason, I am refusing to provide you with crime reference numbers and exact reported dates.

The information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the exemptions detailed below apply.

The withheld information amounts to the personal data of the residents involved and disclosure would therefore contravene the data protection principles as defined in the Act. The exemption outlined at section 38(1)(b) of the Act therefore applies.

The exemptions outlined at sections 34(1)(b) and 35(1)(a)&(b) of the Act also apply on the basis that any information held would be held for the purpose of an investigation, and disclosure would prejudice the law enforcement functions of the force.

The public interest overwhelmingly lies in protecting individuals’ right to privacy and honouring their expectation of confidentiality, as well as ensuring that investigations and any subsequent prosecutions are not prejudiced.

**Provide the number of these crimes have led to individuals being convicted of the charges.**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

To explain, Police Scotland investigate the circumstances of crimes and offences and, where sufficient evidence exists, then report the matter to the relevant Procurator Fiscal.

It is a matter for the Procurator Fiscal to decide whether to prosecute a case and to progress the matter through the courts.

The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore we do not hold the information requested.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscal Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

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.