| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0694  Responded to: 17th March 2023 |
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Your recent request for information is replicated below, together with our response.

**We must give you the background before the request**

**August 2022 and November 2022**

**IM-FOI-22-1564**

**IM-FOI-2022-2390**

**“To ask how many video evidence (s) were certified and verified by PS in 2020 to 2022.”**

**So actually it was asked in July 2022 and responded to in August 2022**

**FOI Edinburgh •** [**FOIEdinburgh@scotland.police.uk**](mailto:FOIEdinburgh@scotland.police.uk)

**And received the response it was too costly**

**And proceeded to ask via what do they know**

**Because what do they know helps the requester pass more easily to the next level**

**To ask how many video evidence (s) were certified and verified by PS in 2020 to 2022**

[**Transparency in Public Service organisations and data protection act for Concern Raisers is it ever possible - a Freedom of Information request to Police Scotland - WhatDoTheyKnow**](https://www.whatdotheyknow.com/request/transparency_in_public_service_o#outgoing-1327843)

**However**

**As it was a duplicate request**

**The whatdotyeyknow team had it as transparency**

**And PS said**

**Quote**

**Should you require any further assistance concerning this matter please contact Information Management quoting the reference number given.**

**End quote**

**Since then new information has come to light about sending logs tracked and signed for and recipients saying they were not received**

**And**

**A follow up visit from person (s) uninvited and misusing information**

**November 2022 to January 2023**

**ICO state**

**Quote**

**Quote Information Commissioner's Office**

[**Information Commissioner's Office (ICO)**](https://ico.org.uk/)

**complaints What happens when someone complains? Yes, section 77 states that it is a criminal offence to alter, block, destroy or conceal information. Depending on the nature of the incident, an authority or ...**

**End quote**

**Also**

**Quote**

**Visiting without an appointment or entering without xx permission breaches xx right to quiet enjoyment of xx home. It could also count as harassment under the Protection from XXXXX Act 1977. This is a criminal offence End quote**

**To ask again at this stage**

**EQUALITY LEGISLATION MATTERS AND PUBLIC SECTOR EQUALITY DUTY IE FOSTERING GOOD RELATIONSHIP (S) Vs A VENUE IS NOT OPERATING IN CONDITIONS OF LICENSE, PLANNING OR ENVIRONMENT STANDARDS and HOW IT AFFECTS OTHER NOISE PRODUCING NEIGHBOURS ATTEMPTS OF CESSATION IE SHOULD BE INAUDIBLE IN NEAREST HOMES**

**PS state:-**

**When we investigate any crime we need to obtain corroborative evidence as per Scots Law. Corroboration can be sought from a variety of sources. If you are submitting video evidence then this will need to be certified and verified by a police officer. It will also need to be authenticated as per Criminal Procedure (Scotland) Act 1995 in order for it to be used as evidence in court. The submission of a YouTube clip would not meet the threshold to allow it to be submitted to a court for evidential purposes.**

**Transcript**

**Summary**

**The ICO is the information commissioner office They say**

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**To ask how many video evidence (s) were certified and verified by PS in**

**August 2022**

**November 2022 to December 2022**

**In January 2023**

Your requests are becoming increasingly difficult to comprehend.

I would urge you to please simply describe the information sought in any future FOI requests and avoid reference to previous requests/ other matters.

Our interpretation of your request is that you are asking how many times Police Scotland certified and verified video footage as a production (ie evidence) over a four month period - August, November and December 2022 and January 2023.

We can only assume that you are referring to the certification procedures set out at sections 279 and 283 of the Criminal Procedure (Scotland) Act 1995 which relate to CCTV.

You have twice now submitted requests seeking data on that subject.

First, in FOI 22-1564 seeking data for a two year period which was deemed cost exempt and then the same request, FOI 22-2390, which was deemed repeated.

I appreciate that you have attempted to refine the time period in this request but I’m afraid it makes no difference.

The fact remains that we would have to search all crime reports for the period to review the associated list of productions (evidence) to see whether CCTV appeared and, if so, check whether any of the relevant certificates had been completed.

For a four month period that would amount to tens of thousands of reports.

In fact, given the cost limit of £600, I very much doubt that data could be provided even for one week.

I therefore 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 Act where section 12(1) (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

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.